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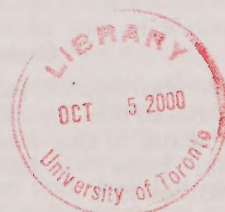
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**Legislative Assembly
of Ontario**First Session, 37th Parliament**Assemblée législative
de l'Ontario**Première session, 37^e législature**Official Report
of Debates
(Hansard)****Journal
des débats
(Hansard)****Wednesday 27 September 2000****Mercredi 27 septembre 2000**Speaker
Honourable Gary CarrPrésident
L'honorable Gary CarrClerk
Claude L. DesRosiersGreffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 September 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 27 septembre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Michael Bryant (St Paul's): The broken promises to and shabby, tragic treatment of disabled Ontarians by this government has been one of its worst legacies.

I'll tell you about one story in my riding, the family of Madalena Silva and her brother, Daniel. I went to their home. Mrs Silva is saving this province hundreds of thousands of dollars every year by caring for her physically disabled mother and her developmentally and physically disabled brother at home. All they want and need is a wheelchair ramp so that Daniel, who is totally confined to a wheelchair, can get out of the house to go to medical treatments and can get out of the confines of four walls to enjoy everyday life. Yet she has been denied funding from this government at every single turn.

As a result, she has had to somehow carry Daniel up and down the stairs with the wheelchair, some 200 pounds, injuring herself, and as a result now she has to call for neighbours or ask her husband to take time off work. In turn, Daniel is missing medical appointments. He is unable to go down the street to get an ice cream and enjoy the simple pleasures of life. Daniel is imprisoned by his own disability and the barriers this government refuses to tear down.

It's time for Ontario to assist these Ontarians to fulfill the dream, I know of mine, and I know of Dalton McGuinty's, of a barrier-free Ontario. Premier, let's get that ramp for Daniel and let's remove barriers for all disabled Ontarians.

ONTARIO AGRICULTURE WEEK

Mr Bert Johnson (Perth-Middlesex): I rise in the Legislature today to remind my colleagues that one of the most important weeks of the year is fast approaching: Ontario Agriculture Week.

This year Ontario Agriculture Week will be celebrated from October 2 to October 8. I hope that all members, especially those with urban constituencies, will join with me and representatives from Ontario's agricultural

community for the breakfast and official kickoff on Monday, October 2, outside in front of the Legislature.

Agriculture Week is a great opportunity to recognize Ontario's farmers and the importance of the agri-food industry. It's important to note that agriculture injects \$25 billion annually into the Ontario economy and employs more than 640,000 people. I would encourage all members to take a moment next week to help salute our agri-food industry in their own riding.

In my riding of Perth-Middlesex, Tourism Stratford, the Perth County Federation of Agriculture, and Perth County Junior Farmers are helping to kick off Agriculture Week with their annual harvest day tour on Sunday, October 1. This tour is hosted by farms and agri-food businesses in Perth county. These types of events help to remind Ontarians of the unique role played by all those who help bring food from the farm gate to the dinner plate.

Next week, join me in celebrating the third annual Ontario Agriculture Week. Invite Ontario home for dinner.

CORRECTIONAL FACILITIES

Mr Dave Levac (Brant): Imagine our surprise and amazement to find out there has been another escape from a privately run, for-profit detention centre in Ontario. It happened on Tuesday, September 19, at the Genest Youth Detention Centre, a high-security facility. First, Camp Turnaround or, as it is called, Camp Run-Amok, on its first day of operation, an escape. Next, a few months ago, an escape from a facility run by the same company that runs Genest. The use of a stolen van during that escape nearly cost the lives of a dozen toddlers from a nearby daycare centre. Now this one.

Even with the cherry-picked, best-behaved offenders in private facilities, the Minister of Community and Social Services still just doesn't get it: privately run, for-profit detention centres don't work. Today, we find that Minister Baird has had a report since April that cites untrained staff, non-compliance with policies and staff shortages are increasing the risk of injury to both staff and community. All these previously predicted problems cost the ministry \$2.3 million a year. Minister, your own commission report, submitted in April, is asking you to halt privatization drives.

Our party leader, Dalton McGuinty, supports the many communities across the province in their fight against private, for-profit detention centres and correctional

facilities. Do yourself and the communities across this province a favour and stop the privatization.

CUMBERLAND FIREFIGHTERS

Mr Brian Coburn (Ottawa-Orléans): I rise today to speak on a very important addition to my area of the national capital region. A year ago, the Cumberland Volunteer Firefighters Association received \$8,000 for the purchase of a much-needed fire rescue boat. That money came from the city of Cumberland's portion of the advanced funding program for Ontario charities. More money was raised in my community of Cumberland in Ottawa-Orléans to complete the purchase with very limited impact on the fire department's operating budget. Since it was put into service, the boat and its team have responded to many incidents, including the successful rescue of three youths back in May of this year whose canoe had tipped in the Ottawa River. The conditions were fair, but the water temperature was frigid and all three were suffering from hypothermia. From the time of the first emergency call to the time the kids were pulled to safety by the firefighters on the boat was 12 minutes. One of the children's fathers was told by a doctor at the Children's Hospital of Eastern Ontario that he came very close to losing his son. The Cumberland firefighters' quick response time was crucial in saving the child's life.

The opportunity provided through the Ontario charities grant program for the city of Cumberland and its volunteer firefighters continues to yield very positive results. If this rescue boat was not available, possibly another tragedy on the water would have been added to the growing statistics.

SHELTER ALLOWANCES

Mr David Caplan (Don Valley East): I rise today to comment on the remarks of Minister Clement at last week's federal-provincial housing ministers' meeting. It was surprising to hear the minister say it's time for governments to act, there should be no more waiting and that money had to flow directly to address the problem. What Minister Clement failed to say is that when it comes to real and effective measures, he and the Harris government are all talk and no action. Let's look at his very sorry record.

He says he's provided a much-needed rent supplement program, but what he doesn't tell you is that he is paying for it with recycled federal dollars. There is not a cent of provincial money in it. He also didn't tell you that he can't get landlords to sign up for the program. His own ministry staff says that, as of June of this year, only 1,339 of 5,000 units tendered have been contracted. He complains about the lack of tax breaks for developers, yet when we give him an opportunity to give municipalities the power to offer these breaks, as outlined in Bill 83, the Affordable Housing Incentives Act, he does nothing.

Mike Harris ran on a platform in 1995 in which his party committed to bringing in a comprehensive shelter allowance program. Instead, they cut the shelter portion of welfare and have brought in no program. That's why I feel that the minister's remarks last week were so outrageous. He demands actions from everyone but himself. His record is clear: all promises, no provincial money, no action, no plan except a plan to transfer his responsibilities on to municipalities and to blame everyone but himself and his government. If he thinks he's done enough, he's wrong.

I hope that when people who are concerned about housing see the minister's pathetic record in keeping his own meagre promises, they'll join me in expressing their disgust for the insincerity of his remarks last week.

1340

TEACHER MISCONDUCT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I rise today to express the concerns and outrage of many parents in my riding when they learned that a teacher who received an indefinite suspension for writing inappropriate letters to a young student was back in the classroom teaching their children.

When parents expressed concern for their children they were told that this is a teacher in good standing and cleared by the College of Teachers as fit to teach. To say that parents feel their young children are vulnerable in this teacher's classroom is a classic understatement.

Our government created the College of Teachers to enforce professional standards of conduct for our teachers to protect our children. Under the Ontario College of Teachers Act, the professional misconduct regulation ensures that the college has clear statutory authority to exercise its full disciplinary responsibilities. This doesn't appear to have happened in this case. Parents and the public alike are demanding answers from the College of Teachers and the Simcoe County District School Board with respect to this deplorable situation. In fact, many people, including my colleagues Mr Dunlop and Minister Wilson, ask one simple question: are the college and board really looking after the best interests of the children here?

I believe the board and the College of Teachers must review their policies and procedures to make sure it is the students—the vulnerable children, the precious offspring that parents place in their care—who always come first, with no exceptions.

EDUCATION FUNDING

Mr George Smitherman (Toronto Centre-Rosedale): I want to say what a great day it is for me to have a chance to be here this deep into the millennium and to welcome the Premier, who has shown new leadership by being here, for the first time this year, three days in a row. But I worry, because I've seen the weather forecast

for tomorrow and no rain is called for, and we all know what that means: golf.

I want to say we've also noticed that Mike Harris has been advising Stockwell Day up in Ottawa. One of the first things that new leader of that party wanted to do was shorten the work week: Mike Harris providing an example of leadership to his kissing cousin, Stockwell Day in the Alliance Party.

But I want to talk about the absence of leadership while the Premier is here and in the presence of three students from Inglenook Community School who earlier today surrounded the playground in their schoolyard and made sure it could not be torn down. I applaud them for their efforts and I recommend to the Premier of this province that kind of leadership: fighting on behalf of kids who want to have playgrounds to access, fighting to make sure that swimming pools and schools are not closed, that music programs are not withdrawn and that computer classes are not cancelled. That is the Mike Harris legacy. That is Mike Harris's leadership. On this side, we look forward to the day soon when Ontario will be restored as a place that has leadership that inspires and works hard.

HEALTH CARE SERVICES

Ms Frances Lankin (Beaches-East York): Premier, the parents of Efficia Mitchell came to Queen's Park to tell the tragic story of the death of their 10-month-old baby in a hospital emergency ward. It was a heart-rending account of parents who trusted the system.

Efficia is dead, and the Mitchells, their community, in fact all of us, want to know why. Their story of long waits, little information and inadequate response is becoming all too familiar a story in Ontario's hospitals. Doctors are stressed and furious. Nurses are running non-stop and they don't have the answers to give to anxious families.

For the past two days, yet again, in all of the GTA and in some areas beyond, hospital emergency rooms have been on redirect. This summer I can tell you about a busy Scarborough emergency room where patients were lined up on stretchers, head to toe on every inch of the hallway, and some of those patients had to wait four days to get into a hospital bed.

Emergency room backlogs have been growing every year since 1996. This is a standard situation in ERs now. What's going to happen when the flu season and the peak season starts to come?

The emergency room, Premier, is like the canary in the mine for our hospital system. Your piecemeal solutions aren't a cure for Ontario's health care crisis, and a bandage won't stop the hemorrhaging.

Today again, on behalf of the New Democratic Party, I am calling on you to stop emergency room closures, to have a major expansion of home care and community care and public health and immediate reform of primary care to bring about 24-hour, seven-day-a-week care in our communities so that others like baby Efficia will

never have to experience that again in Ontario's hospitals.

LEGISLATIVE INTERNS

Mrs Brenda Elliott (Guelph-Wellington): I rise today to remind members that this is the 25th anniversary of the Ontario legislative internship program. Each year eight recent university graduates come to Queen's Park to work with backbench members of our Legislature. The program is non-partisan and is supported by the Legislative Assembly and the Canadian Political Science Association as well as more than 20 corporate sponsors.

Here's how it works. Interns spend half of their 10-month period at Queen's Park working with opposition members and the other half with government MPPs. While legislative interns learn about the political process primarily through their work in members' offices, there is also a formal academic component that involves exchanges with interns in other Legislatures and regular sessions where they have a chance to meet and learn from each other's experiences in the various offices. They must have a university degree and are chosen through a rigorous process placing value on academic excellence, personal maturity and an interest in parliamentary government.

Having hosted two interns personally in my own office, I can vouch for their diligence and the high quality of the work of these young people. All members in this House will by now have received an invitation to host an intern in their office. I encourage all MPPs to seriously consider this wonderful opportunity and to support a program, a program that is not only helping us as backbenchers here do our jobs for our constituents but a program that is certainly helping some of the leaders of tomorrow learn first-hand about how government really works.

VISITOR

The Speaker (Hon Gary Carr): Today joining us in the members' gallery west is the Honourable Dr Stephen West, who is the provincial Treasurer in the province of Alberta. Would all the members join in welcoming our guest from Alberta.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the 13th report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

DOMESTIC VIOLENCE
PROTECTION ACT, 2000LOI DE 2000 SUR LA PROTECTION
CONTRE LA VIOLENCE FAMILIALE

Mr Flaherty moved first reading of the following bill:

Bill 117, An Act to better protect victims of domestic violence / Projet de loi 117, Loi visant à mieux protéger les victimes de violence familiale.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The Attorney General for a short statement?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): A minister's statement, Speaker.

1350

CHILD AND FAMILY SERVICES
AMENDMENT ACT, 2000LOI DE 2000 MODIFIANT LA LOI
SUR LES SERVICES À L'ENFANCE
ET À LA FAMILLE

Mr Martin moved first reading of the following bill:

Bill 118, An Act to amend the Child and Family Services Act / Projet de loi 118, Loi modifiant la Loi sur les services à l'enfance et à la famille.

The Speaker (Hon Gary Carr): The member for a short statement?

Mr Tony Martin (Sault Ste Marie): This bill flows from the very difficult circumstance in Sault Ste Marie over the last couple of years known as the Ken DeLuca sexual abuse case. Consequently, the Robbins report made some recommendations, that the Children's Aid Society from Sault Ste Marie and the Ontario Children's Aid Society responded to, to suggest that one of the reasons that difficult circumstance was allowed to continue as long as it did was that there were not clear, delineated lines of responsibility and authority on who could do what.

The bill I've introduced today will go a distance to clarifying who's responsible and who can do what and give the Children's Aid Society clearer direction as to what they can do and give them the power to in fact do that. The bill ensures that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and other caregivers to apply for appropriate court orders. The disclosure to caregiving institutions of the results of the investigation and information in the child abuse register will be authorized. The bill provides that the duty to report child abuse that is imposed on persons performing professional or official duties with respect to children will continue until the risk of abuse ends.

VISITORS

Mr Tony Martin (Sault Ste Marie): Very briefly, I bring the attention of everybody in the House to a couple of esteemed visitors in the members' gallery. The reeve of the township of Michipicoten, more commonly known as Wawa, Mr Jim Aquino, and Laurie Bordeau, an occupational therapist. They are both on the health professionals recruitment tour to southern Ontario today.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I seek unanimous consent to put forward a motion regarding private members' public business.

The Speaker (Hon Gary Carr): Consent? Agreed.

Hon Mr Sterling: I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: that Mr Gerretsen and Mrs Dombrowsky exchange places in order of precedence such that Mr Gerretsen assumes ballot item 55 and Mrs Dombrowsky assumes ballot item 41.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY
AND RESPONSES

DOMESTIC VIOLENCE

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): People must be safe—and feel safe—on the streets, in their neighbourhoods and, above all, in their homes. As a government, we are committed to doing everything in our power to make our communities safer, to support and protect people, primarily women and children, who are at risk of domestic violence. We are committed to ensuring that abusers are held accountable for their crimes.

During the past five years, we have taken a leadership role in the area of domestic violence. We have created and expanded the domestic violence courts program and made it the largest and most comprehensive of its kind in Canada. We have expanded the victim/witness assistance program, victim crisis assistance and referral program, the supervised access program, and the SupportLink program.

I am proud of our achievements in making our justice system more responsive to the needs of victims of domestic violence. The justice system is a critical component in our battle against domestic violence because it holds abusers accountable for their actions.

But we know that services and support outside of the criminal justice system are important as well. That is why in 2000-01 our government will be spending about \$72 million on shelters and counselling.

We have also committed another \$15 million in the spring budget for transitional supports and counselling for women and children who have experienced domestic violence, as well as funding for programs to identify school children at risk of harm.

While these are important steps, we know that there is more work to be done. Everyone in this House is familiar with media reports of tragedies that have occurred as a result of domestic violence. As individuals and as legislators, we have a responsibility to do all that we can to prevent these tragedies and to keep families safe. That is why earlier today I introduced the Domestic Violence Protection Act. The proposed legislation is intended to reform and improve the effectiveness of restraining orders to better protect victims of domestic violence.

Under the act, we propose to replace restraining orders with clearer and more effective intervention orders. The intervention orders would be enforceable according to the provisions of the Criminal Code to better protect victims. As a result, alleged abusers could face stronger terms and conditions for detention and release. This will send a clear signal that domestic violence is not tolerated in Ontario.

If passed, the Domestic Violence Protection Act would also help families at risk and victims of domestic violence to get a court order at any time of the day or night. It would make intervention orders faster to obtain and easier to enforce, and they would apply to a broader range of relationships, including people in dating relationships and family members who live together.

The Act sets out a clear definition of domestic violence and a list of specific prohibited activities and remedies that would make the new orders clear and enforceable. Our government's approach to restraining order reform goes even further by ensuring standardized order forms that clearly set out specific conditions for the alleged abuser, obtaining intervention orders faster through judges approving them and the court preparing them on the same day, and expanding counselling for alleged abusers to prevent further violence. These and other proposed changes complement, support and maximize the effectiveness of the legislation.

Keeping the people of this province safe is a battle no one level of government can win on its own. Each level of government has a role to play and a responsibility to ensure the safety of our communities, our families and our children. As I have demonstrated, our government takes that responsibility seriously. We want the federal government, as well, to live up to its responsibilities to keep our homes, streets and neighbourhoods safe.

Earlier this month, I called on the federal government to provide additional help to protect victims of domestic violence. I asked them to do this by making two small but important amendments to the Criminal Code of Canada. First of all, while breaches of intervention orders

would be enforced under the Criminal Code, I asked the federal government to amend the Criminal Code to make breaching an intervention order a separate offence. This would provide victims with additional protection by allowing for more timely prosecution of cases and would send the clear and firm message that domestic violence is a serious offence.

Second, I asked Ottawa to reverse the onus of proof in bail proceedings in domestic violence cases so that accused individuals would have to show that their release would not endanger the victims.

These are changes that Ottawa can make easily and they are changes that would go a long way to protect victims of domestic violence. I'm sad to say that I have received no firm commitment from the federal government to make these changes.

Our reforms clearly show that the province of Ontario stands on the side of victims of crime. We believe they are important new additions to our government's continued efforts to support and protect victims of domestic violence and to hold abusers accountable. Restraining order reform is yet another action our government is taking so that the people of Ontario can be safe and feel safe on their streets, in their neighbourhoods and, above all, in their homes.

1400

The Speaker (Hon Gary Carr): Responses?

Mr Michael Bryant (St Paul's): Mr Speaker, let me be clear: Dalton McGuinty and the Ontario Liberals will support any step, however minuscule, in the direction towards assisting victims of domestic violence.

The problem is that this act would be better entitled An Act to Try to Protect a Fraction of Victims of Domestic Violence, for it is but a fraction of the victims of domestic violence who actually come into contact with our criminal justice system. It is in fact a great, silent, tragic majority of domestic violence victims who are in no way touched by this act and who are in no way affected by any of the measures, by lip service or otherwise, by this government. They have, frankly, been abandoned by this government in their plight.

We hear reference by the Attorney General to media reports of tragedies that have occurred as a result of domestic violence. What of the media reports over the last five years of all those who never turned to the police unaffected by this act? I am not suggesting that this government is directly at fault for these tragedies, but we must ask ourselves the question: are we doing enough to prevent domestic violence, as opposed to talking about crackdowns? The answer is clearly that this government basically has done nothing.

This is the government that cut funding to women's shelters, of all things, when they came to office. This is the government that refuses to give to women the right to find out whether or not they've had a date rape drug slipped into their drink the night before. This is the government that's watched the rise of domestic violence over the last five years and done nothing but talk about coroner's inquests and watched the excellent joint

committee report from Judge Baldwin sit on the desk of the Attorney General for more than 12 months before he actually started, now, paying lip service to it.

This is far too little. It is far too late. It is the tip of the iceberg of this cancer on our society. It is cold comfort to victims past, it is cold comfort to victims present and cold comfort to victims future of domestic violence.

Mrs Marie Bountrogianni (Hamilton Mountain): Minister, I stood up in the House yesterday and asked your Premier why your government did not sign the accord last week outlining emergency measures to end violence against women in Ontario. Your Premier did not even send a minister to this meeting. He sent a parliamentary assistant, who admitted she had no authority. Your response at the morning press conference was that you, the Attorney General, did not know about this request and that you did not see these emergency measures outlined by the 81 women's groups. In fact, your government's response was to reannounce last spring's funding for women's programs. What an insult to the women of this province.

Your announcement this morning, although overdue, is but a very small piece of the solution, as my colleague Michael Bryant has stated. Seventy-five per cent of abused women still do not report their abuse. Many women cannot access the legal aid to take advantage of the very changes you announced today. There are not enough shelters, contrary to what you said this morning, and women can't and don't want to stay in a shelter forever with their children.

Your government has washed its hands of the responsibility for social housing. The waiting lists are years long. Battered women in the north particularly have told me they are afraid to leave, afraid of the poverty, afraid for their children. But the crisis calls in the north have increased significantly.

Grants for public education from the Ontario Women's Directorate have also been cut back. Minister, surely you must realize how important prevention programs are. Counsellors were using these funds to go into schools and talk about the signs of abuse to female students and to warn male students and encourage them for anger management.

If you could only see some of my former patients in therapy, those who abused—that was a Freudian slip; they will abuse if they don't get therapy—those who observed their mothers being raped—yes, raped—by their partners in front of their eyes at times and how they had to dissociate and become other personalities just to escape that awful, horrific situation, I know you would have the heart and the mind to put back the money you cut in shelter programs and in counselling.

Forty women were killed by their partners or former partners last year. Please, I implore you, let's say "No more." This is Ontario. Let's say here, together, what we can do, what we need to do. We'll work with you to say zero tolerance and zero potential for domestic violence toward women in Ontario.

Ms Frances Lankin (Beaches-East York): To the Attorney General, I say we'll support your bill. Let's get it done and over with. It is OK, but it is virtually irrelevant to the vast majority of women who suffer abuse in this province.

So I want to use my time to speak to you, Premier, as the head of this government, as the Premier of this province who said he was going to make domestic violence a priority this session. I can't tell you how upsetting and insulting it is that your first announcement would be yet again another small step on the criminal justice side of things, when for months and months women have been trying to talk to your government to say that we need a response in terms of our community, our social and economic security. We need to prevent women from being abused. We need to give women the power, in their own hands, to leave situations of abuse. The vast majority of women will never, no matter what you do, go to the criminal justice system.

Over 80 women's organizations from across this province tried to talk to your government last week. They spent a month in advance trying to set up meetings to have an opportunity to share with you their direction before they came here.

Interjection.

Ms Lankin: The minister for women's issues says that's not true. Those women are here. You confront them out in the hallway. They spent time from August on trying to get that meeting set up. They tried to coordinate it with all three parties. They brought forward their response.

Premier, the question to you is, are you going to invest the \$350 million and implement the emergency measures in this fall sitting of the Legislature that will in fact do something to save women's lives? Forty women have died this past year. Every year that happens. You can't tell me that this bill that's being brought in is a response to the six women who have died in the tragedies of this summer.

When are you going to listen to women's own voices? The whole issue of domestic abuse is an issue of gender power. Why is it that when women who are on the front lines working on this issue, who are working with those women who are abused, who are bringing their voices forward, try to talk to this government, they're ignored? That's an issue of gender power. Listen to women's voices. They know what needs to be done.

The money they have asked for—the parliamentary assistant says that's a substantial amount of money—is 10% of your projected surplus this year. It can save women's lives. They are asking you to expand the help line. What good is a help line that's centred in one city that women from across the province can't access? What good is it when women call up and get a busy signal because there aren't enough telephone lines and aren't enough counsellors at the end to help them?

They're saying, expand the number of shelters and shelter beds. The minister today at the press conference said he believes there's enough to handle the emer-

gencies. That's not true. There are not enough shelter beds. There are not enough shelters.

You cut out second-stage housing programs. How are women, with their children, supposed to move on, get to a new life? You must reinstate that. You must ensure that community organizations, settlement programs, Franco-Ontarian programs have the resources to reach out to women in their own communities and help them, help them take the step to free themselves from domestic violence. Give women the power in their own hands and we can take care of ourselves; continue to put it in the hands of police and the courts and others and there will never be a satisfactory solution.

Every time I have raised this question in this House, every time I have asked any one of your ministers, I get the litany of responses back of all you've done in the criminal justice system. God bless you. Thank you for doing it. Let's move on and deal with the bigger issue. Not one of your ministers has ever, ever taken it upon themselves to give us an answer as to why you will not move on these recommendations. The community recommendations were embedded in the May-Iles recommendations. You say with great pride you've implemented so many of them. Just tell us why. Why won't you implement the community-based solutions from May-Iles?

You talk about the joint report and that you've implemented those recommendations. There were community recommendations there. Just tell us why: why have you ignored those recommendations? These women are here. They want you to sign the pledge. We will all work with you to implement those measures this fall. Let us do it together. Let us join together and save women's lives.

1410

VISITOR

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I know that you and the members would be pleased to know that Vance Badawey, mayor of Port Colborne—although not in the riding of Niagara Centre, still a fine community—is here in the visitors' gallery with us today.

The Speaker (Hon Gary Carr): That is not a point of order.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Mr Speaker, I believe we have unanimous consent to speak on the 25th anniversary of the Franco-Ontarian flag.

The Speaker: Is there unanimous consent? Agreed.

DRAPEAU FRANCO-ONTARIEN

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): La semaine du 25 septembre est une semaine bien spéciale pour les francophones de l'Ontario. Il me fait un immense plaisir de me joindre à mon chef, Dalton McGuinty, à mes collègues libéraux de cette Assemblée,

ainsi qu'à mes amis francophones pour célébrer le 25^e anniversaire de notre drapeau.

Le drapeau fut dévoilé pour la première fois le 25 septembre 1975 à l'Université Laurentienne à Sudbury. Nous devons cette belle initiative à Gaétan Gervais, professeur et concepteur de ce beau drapeau, ainsi qu'à un groupe d'étudiants et étudiantes de cette université. J'aimerais rendre hommage à ces concepteurs qui ont su refléter l'esprit des communautés franco-ontariennes.

Monsieur le Président, saviez-vous que le blanc et le vert reflètent l'été et l'hiver d'Ontario ? Sur le drapeau, deux fleurs sont représentées : le trille et le lys. Le trille est l'emblème floral officiel de l'Ontario, tandis que le lys évoque la francophonie mondiale.

Depuis sa création, le drapeau franco-ontarien a su se faire connaître dans l'ensemble de notre belle province. Aujourd'hui, il est présent dans toutes les communautés francophones de l'Ontario. J'aimerais prendre ce moment pour dire aux 500 000 francophones de l'Ontario, soyons fiers de notre drapeau et de notre héritage culturel. Soyons fiers d'être Franco-Ontariens et Franco-Ontariennes. Nous ne devons pas oublier que la population mondiale compte plus de 500 millions de francophones répartis dans une cinquantaine de pays.

Encore une fois, bon 25^e anniversaire et longue vie à la communauté francophone de l'Ontario. Vingt-cinq ans, ça se fête.

M. Gilles Bisson (Timmins-Baie James) : C'est avec plaisir qu'on a la chance aujourd'hui, de la part du caucus NDP, de déclarer ce que ça veut dire d'être francophone dans la province de l'Ontario et, plus important, ce que symbolise ce drapeau.

Mais je veux dire en commençant que le fait qu'on a besoin de demander en anglais le consentement unanime dans cette Assemblée me dit que nous les francophones avons un problème non seulement dans cette Assemblée mais, franchement, dans cette province.

Comme vous le savez, monsieur le Président, les francophones ont été majoritaires dans cette province beaucoup d'années passées dans notre histoire. Avec l'immigration et beaucoup d'autres situations qui sont arrivées, nous les francophones sommes devenus minoritaires dans notre propre province.

Il a pris beaucoup d'années, beaucoup d'efforts, beaucoup de batailles et beaucoup de luttes pour que les francophones s'organisent pour s'assurer que nous ne disparaissions pas de notre propre place en Ontario. On a eu beaucoup de batailles pendant ces années. On a connu des succès, oui, dont on peut être très fiers. On peut regarder à la loi sur les cours de justice qui a été mise en place par M. McMurtry des années passées qui a donné aux francophones le droit d'aller aux cours et de s'exprimer en français et de demander un procès en français. On a eu la Loi 8 sur les services en français, qui était mise en place par unanimité dans cette Assemblée, qui a dit que dans certaines régions de cette province nous, les francophones, pouvons aller rechercher des services en français, dans notre langage, chez nous. On a eu beaucoup d'autres succès avec la création des trois

collèges francophones à travers la province, à l'est avec la Cité des Jeunes, avec le Collège Boréal au nord et avec le Collège des Grands Lacs dans le sud-ouest ; avec la création des centres de santé communautaires ; et, oui, il faut dire au gouvernement conservateur avec la création des conseils scolaires francophones dans cette province, sans mentionner la création des garderies.

Je veux dire que, comme francophone, je me sens un peu troublé. On trouve aujourd'hui, en l'an 2000, que l'on a encore besoin de lutter pour s'exprimer en français dans cette Assemblée et de s'assurer que les services qu'on avait mis en place sont assurés non seulement pour nous mais pour les générations qui vont venir après nous. Je dis aux députés francophones dans cette Assemblée, n'ayez pas peur de vous afficher en français ici. Utilisez votre langage. C'est notre langage ; c'est notre province. Aussi, aux francophones qui regardent, c'est la journée du 25^e anniversaire de ce drapeau, et on n'a pas besoin d'avoir peur d'utiliser le français chez nous en Ontario. Qu'on s'en serve et qu'on devienne fier d'être francophones, parce que l'Ontario, c'est chez nous.

Je veux dire, sur le dernier point, que Gaétan Gervais il y a 25 ans, avec beaucoup d'autres individus à Sudbury, a créé ce premier drapeau franco-ontarien. Je vous propose, monsieur le Président, que moi-même comme député de Timmins-James Bay, et aussi comme critique des Affaires francophones pour le caucus NPD, je vais vous demander formellement à travers ce discours, et suivi par une lettre, que le premier drapeau franco-ontarien que M. Gervais a encore chez lui soit affiché ici quelque part à l'Assemblée où nous, les francophones, pouvons être fiers de regarder notre drapeau dans notre province qu'on appelle l'Ontario.

L'hon John R. Baird (ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones) : En tant que ministre délégué aux Affaires francophones, c'est avec un grand plaisir que je souligne aujourd'hui le 25^e anniversaire du drapeau franco-ontarien. Il y a 25 ans, le drapeau vert et blanc flottait pour la première fois au-dessus de l'Université Laurentienne à Sudbury. Il est un moment important dans l'histoire des francophones dans notre province et dans l'histoire de notre pays d'avoir un symbole d'identité maintenant très reconnu dans toutes les régions de la province. Aujourd'hui le drapeau est présent partout dans les institutions francophones de la province, et représente encore une communauté pleine de vitalité et de dynamisme.

Je suis sûr que le drapeau continuera de flotter en Ontario pour les générations à venir. Je suis confident que les jeunes Franco-Ontariens et Franco-Ontariennes en feront leur emblème et continueront de participer pleinement au développement de leur communauté et contribueront à la préservation de leur culture et de la langue française dans notre province.

En terminant, je salue toute la communauté franco-ontarienne et je vous offre mes meilleurs vœux pour un avenir propice avec la majorité des francophones hors

Québec au Canada. L'Ontario est une meilleure place à cause de notre population francophone.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I seek unanimous consent of the Legislature that a member from each party have the opportunity to make remarks about three former members who have passed away during this past summer: Mr Frank Miller, Mr Robert Welsh and Dr Morton Shulman.

The Speaker: Is there unanimous consent? Agreed.

1420

FRANK MILLER

Hon Michael D. Harris (Premier): I do rise today to speak of a man who was a member of this Legislature for 14 years, who once sat in this very chair, a man who served the people of Muskoka and of his beloved Bracebridge and of Ontario with integrity, with conviction, and with tremendous energy. I am, of course, referring to Frank Miller, the 19th Premier of the province of Ontario, who passed away on July 21 of this year.

Frank Miller was very much a man of his time, and in some ways he was a man ahead of his time. His decency, his honesty, his integrity, not to mention his famous plaid blazers, made him not only an outstanding but also a colourful representative of the people of Ontario. That decency and that honesty and that integrity earned Frank the admiration of his colleagues on both sides of this Legislature.

Frank never forgot that government exists to serve the people and not the other way around, and it was an important lesson and reminder that I would say members of my party needed to hear on a regular basis. Indeed we all need, from time to time, to hear this message.

That's why, throughout his long public career, Frank worked tirelessly for smaller and for more open and more accountable government. He believed that without strong leadership, government would continue to grow unchecked, just for the sake of government itself. He said—and this is a quote that I always liked—"There are no forces on government to make it grow smaller. They're all there to make it grow bigger." It takes a tremendous amount of energy to combat those forces.

That's why we are grateful for the leadership and support that Frank provided, leadership that helped keep the size of government in check. Here at Queen's Park and back home in Muskoka, Frank worked tirelessly to put people first, to make sure their tax dollars were spent wisely and that their government remained accountable to them. During his last days as Premier, Frank was asked what he would do next. Again, I quote. He said, "Almost all of us can do a lot more than we think we can, so I don't worry about the future."

I think if you reflect on that, many of us have probably found that to be the case; certainly most successful people have found that to be the case. It was certainly true when it came to Frank Miller.

Even after he left provincial politics, Frank then continued to contribute to the life and prosperity of the people of the region and of our province—I suggest to you there are probably not many examples of Premiers anywhere in the country who, upon retiring from provincial politics, went back into local politics—and continued to represent the people of Muskoka.

And, for awhile, he even found time to sell three or four cars a month. I mention that because we've all heard of that, but when he was asked about this, Frank said, "I've never been ashamed of what I do." He was a car salesman and he was never ashamed of where he came from or of what he did. He was indeed this small-town guy at heart.

On his last day in the Legislature, he wore one of his trademark plaid blazers and he received not one but two standing ovations. And yet, true to his roots, he tried to downplay the thanks, saying he preferred the nasty questions he was used to in question period. I think he was wrong there, but nonetheless, that's what Frank said.

Frank was always a devoted husband and father. Today our thoughts and prayers are especially with his wife, Ann, and his children, Lawrence, Ross, Norman and Mary Ann.

I'd like to add that Frank Miller had a stronger influence on me personally than I'm sure he realized, and my sense is that he probably had a strong and positive influence on many others in this province in a venturing kind of way, I think far more than Frank realized. And while he may no longer be with us, our memories of him will be with us always.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): Somewhere above me in some celestial space, Frank Miller is this very instant selling tickets for the Bracebridge rotary club. I know because for all the time I served with Frank, I, like every member of all caucuses, bought more tickets than we could ever remember from Frank S. Miller, P.Eng.

The Premier is absolutely right. Frank was an incomparable salesman. He didn't just sell tickets, he sold cars; he sold cars to Liberals, to New Democrats, to Tories, to prominent and less prominent members of the press gallery. He delivered the cars. In at least once case of which I have some knowledge, he put the licence plate on the car that he had just sold. The Liberals of my acquaintance kept going back to buy more cars, some of them from small-town Ontario. I used to wonder, "How do you explain buying your car up there in Muskoka when you get into your part of southwestern Ontario?"

Frank Miller was, I think I can say, about the most genial and popular member—Bob Welch running a very close second—in all the time that I served with him. There was an elfin quality about Frank Miller in the worst days here. Let me say to my friends in the government—you think you've got a bad brief to carry—you ought to have been here in 1974, 1975, 1976, when Frank Miller was out there in southwestern Ontario, and not very far from this place, trying to explain the case for closing Doctors Hospital and small rural hospitals in

Grey, Bruce and Huron. Boy, it was not an easy can to carry.

It was in the midst of one of those awful moments when Frank had his first heart attack. No one railed more against Frank Miller in this place than the notorious Eddie Sargent, and if memory serves me correctly, Eddie took Frank to the hospital that day at Maple Leaf Gardens, I think in 1976, when Frank had that first heart attack.

I think that story says it all about Frank, that as controversial as some of the policies were, Frank was able to do the public's business reaching across the divide. I noticed in the obituaries that Stephen Lewis said—and by the way, in 1974, the small-c conservative Frank Miller avoided a very worrisome hospital strike in Toronto by working behind the scenes with Stephen Lewis to make sure it didn't happen. Frank was a Conservative. Frank was, to some degree, ahead of his time. He wasn't a Progressive Conservative, I suppose, in the sense of a Bill Davis or a John Robarts, and I say that honestly. We knew Frank didn't approve the Suncor purchase. We knew what Frank thought about rent controls. But Frank, nonetheless, was able to make things happen, and the 1974 arrangement with Stephen Lewis to avoid the hospital strike ought to be a good reminder to all of us about what is sometimes required in the public interest.

I think most of you who knew Frank knew, because he would have told you, that he was a child of adversity and of poverty. His father died when he was 13. Frank knew tough times, and I say that because, Conservative as he was, in all the years I knew and worked with Frank Miller, I never heard Frank Miller demonize poor people. In those dark days of the late spring and early summer of 1985, when one of the great dynasties of the free world was slipping away, Frank Miller, to his enduring, everlasting credit, resisted advice being given to him from some quarters to uncork the poisonous vapours of sectarianism. He said no, because Frank Miller understood, Conservative that he was, that there are times in the public interest when leadership demands rising above those things that divide us.

Frank Miller left in—14 years ago, the Premier said. I thought Frank was elected in 1971 and left in 1987. I'll have to check the record. The last six or eight months were tough. Frank didn't blame a soul. The Premier's right; he went back and he became the regional chair of Muskoka. I remember talking to Frank about that. He told me it was a more challenging time than he had expected.

To his wife Ann, to his kids about whom he was so proud, we express, as the Liberal caucus, our condolences. More importantly, we express our thanks and our appreciation.

In his wonderful eulogy delivered that day in July, Eric Dowd, who knew Frank Miller very well, rightly observed that Frank spent most of his public life knowing that he had a bad heart. As Eric Dowd observed, Frank Miller would probably still be alive today if he had put

Frank Miller's interest first. The Frank Miller I knew and liked so very much was someone, Conservative as he was, who always put the public interest first. And that's a legacy of which he should be very proud and it's a legacy to which each and every one of us should aspire.

1430

Mr Howard Hampton (Kenora-Rainy River): I did not serve in the Legislature with Frank Miller, but in spite of that he's somebody I got to know. When I was a student at the University of Toronto in the mid-1970s, this actually was an entertaining place to come to at night—members actually carried on some sort of collegial relationships—so I used to enjoy coming here and sitting up in the visitors' gallery watching.

Occasionally members would go out for supper and then come back for a very late sitting having had too much to drink, having had too good a time. I remember one particular occasion when Frank Miller, who was sitting in the cabinet of a Conservative government, took particular pleasure in challenging some of the members of the opposition to get to their feet, if they could, to speak. I won't mention any names; some of it might come back to haunt those close to me. But it was a particularly intriguing evening to watch Frank Miller taunting all and sundry in the Liberal benches and the NDP benches, "Get to your feet, if you can, and speak." Of course, most didn't; some tried.

I first met him face to face when he came to my hometown in I believe it was the fall of 1984. He came to support the Conservative candidate. The Liberal member of the Legislature had stepped down to take an appointment from the Conservative government and Frank Miller had come to support the Conservative candidate. I was with a group of people leading a protest on behalf of the Association for Community Living, the workers at which had not a pay increase for about five years, if this sounds familiar. I actually had a face-to-face meeting with Frank Miller. It was quite pleasant. He put up with the protest, the picket signs and shouting quite well, and more or less said, "This is all part of politics."

I got to meet him, not even a year later, about six months later, when he came to my community in the run-up to the provincial election, and by then I was the NDP candidate. He was walking down the street and he was introduced to me as the NDP candidate, and he looked at me and said, "You again. Why don't you get a real job?" That was the kind of humour of Frank Miller. He was a very funny person on the occasions when I met him, and particularly the occasions when I saw him in the House.

But that was one side of him. The other side of him was someone who was tremendously serious about his work. Here is someone who, in his 14 years in the Legislature, was the Treasurer, the Minister of Health, Minister of Economics, Industry and Trade, Natural Resources, and he took on most of those jobs at a time when it was particularly tough to take on those jobs. He, I think, in the mind of Bill Davis, was someone who could be counted upon to handle the tough jobs under the toughest of circumstances.

I think it's a measure of the kind of person he was that, when he was asked about his life, he said, "The smartest decision I've made in my life was to marry my wife of 50 years." I think that's one measure of him.

The other measure was following his loss of government. It must have been particularly difficult for him because it had been a Conservative dynasty for over 40 years, and then the failure in the 1985 election and the Liberal-New Democrat accord following that. It must have been a very difficult time. But when he was asked about it, he wasn't bitter. He said, "No, this is public life. This is politics. This is how decisions are made." I think that's a real measure of the person.

On behalf of New Democrats, on behalf of New Democrats who are here now and those who served with him in the past, and personally, I want to say that Ontario has obviously lost someone who made a tremendous contribution to the province. We want to offer our condolences to his family but to also say he was someone we all respected very much.

The Speaker (Hon Gary Carr): I'd like to thank all of the members for those kind words and I will make sure that the families receive copies of today's Hansard.

It is now time for oral questions. Oh, I'm sorry. Minister of Education.

ROBERT WELCH

Hon Janet Ecker (Minister of Education): It's very much a privilege for me stand on behalf of my caucus and say some words in memory of another very fine legislator here, Mr Bob Welch. While I don't have the memories that some would have as contemporaries of his in the caucus, I certainly remember Mr Welch, as one editorial writer called him, a jack of many ministries, and when you looked at all the different ministries, the posts he held under three different premiers, he certainly could be described as that.

I very much remember him from when I was a staffer here in those days, and I think his first memory of me, unfortunately, will be when I left a large, black briefcase in his office which his secretary mistook for a bomb and they had to clear out the whole wing of the building, including his office, and disrupted his meetings. So he probably had some rather interesting memories of me, but I do remember him very much as a minister who believed in public service, who believed in doing good for the people he represented.

He was first elected in 1963 and was there until 1985—a very long and distinguished career. He had just about every ministry you want to name: Minister of Citizenship, Minister of Education, social development, housing, Attorney General, secretary for justice, culture, recreation, government House leader, energy, minister responsible for women's issues and, yes, was one of the first Deputy Premiers, as one of my colleagues has just mentioned. He served exceedingly well in all those roles.

He certainly was a man of modest roots. He talked about how his father, who was a railroad brakeman, had

worked hard for their family and how he himself had taken odd jobs to pay his way through university. He sold fruits and vegetables at one stage in his career and he said when he knocked on doors he was amazed at how many people remembered that he had done that many years before. His slogan, I understand, was, "Summer, winter, rain or shine, we're at your service all the time." I'm not sure if that was for the vegetables or for one of his political campaigns; he was not clear. He came from modest roots. He came from a community that instilled in him the value of community service and it was something that he very much put back, not only in his political career but also with his family, with his community and very much as the chancellor of Brock University, a post he took up after he left political life.

I had the privilege of being at that memorial, listening to many of the people there talk about, even though he was chancellor, the personal interest he was able to take in every student who came before him to get his or her graduation certificate and how he knew them very personally, and that certainly speaks well to him.

In closing, I would just like to say that he was once described by a reporter in the *Globe and Mail* who wrote: "Mr Welch sounds almost too good to be true—the clean-cut, all-Canadian guy making good in the service of his country. Mr Welch's highly developed sense of public duty keeps him working 16 hours a day."

Our thoughts go out to his children, Mary-Jayne, Beth and Rob, and the grandchildren at the memory of a very fine and distinguished public servant in this Legislature.

Mr James J. Bradley (St Catharines): I want to associate myself with the remarks of the Minister of Education and I'm sure the thoughts of all members of the Legislative Assembly as I have the honour to pay tribute to Robert Welch who, in our part of the province of Ontario—and I know this is difficult in the Anglican Church—has reached the state of virtual sainthood in terms of how people feel about him and the role he played in our community and indeed in the province of Ontario.

1440

Bob, to those of you who knew him, was small in stature, I suppose you would say, in physical stature, but in terms of his contribution to this House he was most assuredly a giant. In terms of his contribution really to the country as a whole, one could say the same thing.

He was a natural choice for Deputy Premier of this province—extremely loyal to Premier William Davis, well liked within the Conservative caucus and indeed among members of the Legislature, and easily able to assume the mantle of leadership whenever he was called upon to do so, and he handled those duties in an exemplary fashion.

He was one of the last genuine orators in the House. We have a lot of people who make some interesting and good speeches in this House, but Bob was what you would call a genuine orator. His speeches almost always were sprinkled with good humour, which would be appreciated, again, by representatives of all three parties

in this Legislature. They were always oozing sincerity, because Bob most of all was an extremely honest and sincere individual, and they were always delivered with a good deal of enthusiasm: hands waving, smile on his face, voice rising at the appropriate time.

He handled a number of different portfolios, as the Minister of Education has indicated. I thought there were about a dozen portfolios that he had at one time or another, and he handled them extremely well. He was often put into trouble spots, hot spots in government, because he could cool off those hot spots with the manner in which he carried out his responsibilities as a minister. He was agile. He was skilful in dealing not only with his own cabinet colleagues and with the general public, but even with the members of the opposition, who from time to time could be quite vociferous in their opposition to government policy.

As House leader—and those who have served as House leader would appreciate this. The Premier has, as have others. Bob was government House leader in his particular case. He handled the responsibilities extremely well. He knew that it was important to make the House work as it should. He had a great liking for the House, had a great respect for the rules of the Legislature and the importance of this not simply as a debating society, but as a Legislature which made the most important decisions affecting this province. He respected the viewpoint of the opposition, he respected the responsibilities of government, even though he in his lifetime had not served on the opposition benches.

Bob had a wonderful sense of humour, a self-deprecating sense of humour. He always took his responsibilities seriously. He never took himself seriously and was always an individual who would put himself down on any occasion, particularly when he was introduced with a long litany of cabinet posts that he had held. He would simply apologize to the audience, after being introduced, for not being able to hold any job for any particular length of time. That was the kind of humour that he had.

He was dedicated to his constituents in Lincoln, in Brock, in St Catharines-Brock—the ridings change names but they were generally St Catharines and some of the surrounding area—and was virtually unbeatable in terms of the electoral process. That was because he drew support from people from every economic stratum, from every social position in life and regardless of political affiliation. Bob Welch was able to overcome any of the opposition that might come from those who are partisan because he was so dedicated to his constituency and to his constituents, and quite frankly because he was such a nice man, a nice individual.

He was genuinely interested in people. You know how often we ask, "How are you?" When Bob Welch asked how somebody was, he really wanted to know. He was genuinely concerned about our families, about our friends, about people in the Legislature who had gone on to other things in life. You could just sense in what he said that he genuinely cared about people, and he would

write a note later on to somebody to cheer them up at the appropriate time.

He was a moderate, a consensus-builder, one who listened to other people's points of view and accepted them from time to time and at least respected them. He never sought a confrontation. I can't think of any occasion in which Bob Welch sought a confrontation. I sat in the Legislature on the opposition side when he was on the government side. We didn't work against each other; we worked together for the good of the constituents. That's because that's the way Bob Welch wanted it to be.

He was very kind to me as an individual. I'm a person on the other side who ultimately, I suppose, in the game of politics, wants to defeat the governing party. But Bob always saw the people who surrounded him in other constituencies as being people who were interested in working for our part of the province and treated all of us extremely well in that regard.

Service with Bob Welch is what was expected. There was no question that the Welch family was going to provide services. Bob Welch, from a very young age till his last days of life, was providing service to his fellow citizens in his constituency and across the province and country. A devoted Anglican, he held senior positions in the church. He was a chancellor of the Anglican Diocese of Niagara from 1965 to 1992. Even when he had political responsibilities, Bob was very devoted to the Anglican Church, and he never left his compassion on the steps of the church as he left. He always took it with him, because Bob was ultimately an extremely compassionate individual, always down to earth.

To paraphrase Rudyard Kipling, he did walk among kings and always kept that common touch. He could relate to people of all backgrounds within his constituency. As chancellor of Brock University, the Minister of Training, Colleges and Universities, Dianne Cunningham, dealt with Bob. She was there the last time I got to speak to Bob Welch, and perhaps the last time she got to speak to him, when there was an announcement of the expansion of Brock University.

It wasn't an actual sod-turning—or it may have been a sod-turning—but it was a celebration at the time. There was Bob in the front row. My gosh, he had played a tremendous role with Brock University over the years. But he wasn't a person who would thrust himself forward for the credit; he was a person who simply knew in his own heart that he had contributed greatly to Brock University and to its students as he contributed so much.

One story I can tell you is that Bob was the chairman of the board of education—they were called chairmen in those days; now chair of the board of education—in St Catharines. He was the Conservative candidate in 1963. He came to Grantham High School. I was president of the student council. I had the job of thanking Bob—they made me do this—after he made his speech. You could see there was just a little bit of partisanship creeping in, because I held up the clipboard and I was reading the thank you on it, and on the back was a bumper sticker for his Liberal opponent at the time. Bob found that extreme-

ly amusing. Bob had invited me before that to his nomination meeting. I attended to watch; some suggested to spy, but I was only there to watch and observe. He encouraged me and so many others to become involved in the political process.

There were 800 people at the funeral. Everyone who could possibly make it to the funeral did. They said it was a who's who of Ontario politics and law and business and so on, but listen, a lot of other people who would describe themselves as ordinary folks in our community were there to pay tribute to Bob Welch. I can't think of anybody who was respected as much as he was.

Bill Davis said something about him that I'll conclude with, because Bill Davis gave quite a eulogy, along with some other people, Dr David Atkinson, Archdeacon Ian Dingwall and his son Rob Welch, who was very proud of him. Bill Davis said this of Bob Welch:

"We both shared the same point of view, that we entered public life not for the power perhaps it would give us but more importantly for the responsibility it holds upon us to do those things that were right and we felt were of interest to the people we were to serve. Power was never the motivating thing for Robert Welch. It was service, responsibility, sensitivity and decency." That was Bob Welch.

To members of his family, to Rob, to Beth, to Mary-Jayne, to the grandchildren, to all who were friends of Bob Welch, we extend our sympathy and our admiration. On behalf of my colleagues in the Ontario Liberal caucus, we send our very best wishes to the family. We know they will be proud for their lifetime of the service that their father and their grandfather provided to the people of Ontario.

1450

Mr David Christopherson (Hamilton West): I consider it a distinct honour to say a few words on behalf of the NDP caucus in remembering Robert Welch, and although I only met him once, I'll refer to him as Bob Welch because everything I've heard about his reputation tells me that's the way he would want it.

He had a long, long, illustrious career. It hasn't been mentioned yet, but at 16 he was a junior mayor of St Catharines. I guess that's where he was bitten with the political bug and the desire and the need to serve.

As I was listening to the members speak before I rose in my place, I thought to myself, "Is there a one of us in this place who doesn't, for at least a moment when we take time to do this, wonder what will be said about us when the time comes?" It can be a scary thought. But the fact that Bob Welch has such a reputation—in commenting on former Premier Miller, the member from Renfrew-Nipissing-Pembroke used, as a comparator, Robert Welch—I think that to have that level of sincerity and to have a reputation so strong, so powerful and that leaves such an imprint on this place has got to be one of the finest rewards that any of us could have for the time and the service that we spend in this place.

Bob Welch, it has been mentioned, was a trouble-shooter, put into very difficult portfolios. He sat as a

minister in a dozen. I don't know if people realize that of those 12 ministries, he served as minister eight of nine years. That's enough to flatten just about any politician I've ever met politically. He not only survived it but seemed to thrive on it.

I note also in researching Bob Welch that he was given the difficult task of introducing the first government lottery in 1975 as the new Minister of Culture and Recreation. This was a very difficult decision and a very difficult process for him because on a personal level, his involvement in his church and his deep beliefs told him that lotteries were wrong. But obviously he felt that public service and the priority of providing the best service that he could as an individual was more important.

I've watched some of my own cabinet colleagues when they've struggled with very difficult moral decisions where there is no clear right or wrong, where you're pulled between on the one side public service and on the other side personal beliefs. I think it says a lot about Bob Welch that he felt enough about public service that he accepted that challenge and did an excellent job.

There aren't very many politicians these days in Canada—the one that comes to mind is former Premier Bob Rae—who speak with pride about being a politician, who speak with pride about the opportunity and the honour of public service and the importance of public service and the importance of a politician's role in our democracy. Bob Welch believed in that, and believed in it so strongly that here we are today reflecting on the fact that one of his greatest achievements was to send that message, not just through words but through action.

I met Bob Welch once when I was a minister, during one of our more difficult times. No one else was around. When you're going through tough times—and I'm sure that current cabinet ministers can appreciate this—there's a good chance that somebody who's active in politics is going to take a moment, the opportunity to go up one side of you and down the other. I hadn't met Bob and didn't know a lot about him and didn't know really what to expect. His only concern in the few moments that we had was how I was coping; a personal question from one politician, from one citizen, to another: "How's it going? How are you handling it? Are you taking care of yourself? Are you spending time with family? Are you doing the things that will make you a better politician, a better minister and therefore provide better public service and therefore give us a better province?" To leave that kind of impression on any of us is a phenomenal legacy to leave behind.

It is with great pride that I offer our condolences in the NDP caucus to the family members of Bob Welch, and I say to Ontarians that regardless of political stripes, Ontario could use a lot more Bob Welches.

MORTON SHULMAN

Mr Howard Hampton (Kenora-Rainy River): Members will know that a short time ago Dr Morton Shulman passed away. I wanted to say a few words about

Dr Shulman, a former member of the NDP caucus. There are some members who served with Dr Shulman, so they will have first-hand experience with what I'm about to talk about.

Morton Shulman was indeed an unusual individual. He was in fact a Conservative. He worked to elect Conservatives to this Legislature, but he was also the chief coroner of Ontario. When he couldn't get the Conservative government of the day to move on some of his recommendations and when they fired him as chief coroner, he decided he would be a thorn in their side in some other way, so he got elected as a New Democrat. I'm sure that every day after that the Conservatives in this Legislature wished they had never fired him, because during the whole time that he was in this Legislature, he was nothing but torment to the Conservative government of the time.

What could describe Morton Shulman? Populist, loud, brash, outspoken, marching to a different drummer. In this place he bent every one of the rules, and when he couldn't bend a rule, he simply broke it. Speaker, I know that some days you look like you are under great stress in this place but, believe me, I used to come here and witness Dr Shulman in his activities, and you have a very easy task.

Some of the things that Morton Shulman accomplished: while he was chief coroner he forced the Ministry of Transportation to enact tougher regulations on lifejackets for small boats. He succeeded in having the government regulate car safety. He was so successful in some of his work that they made a television show about him. The series *Wojeck* is based upon Morton Shulman, the coroner who goes everywhere, who raises all the issues, who is not afraid of the government of the day even if they threaten to fire him, so they made a television series about him.

He had his own television show as well. It was called *The Shulman File*. When he wasn't raising issues in the Legislature, he simply took over the journalism airwaves directly. Some people believed that he actually created what is now called confrontational journalism, that Morton Shulman was the source and the creator of that. Some say he spent his whole time living on the edge, that he was always on the edge of controversy, that he was always on the edge of another battle over another issue. But I think we need to reflect on what he accomplished: what he accomplished as coroner, what he accomplished in this Legislature in terms of raising issues and forcing the government of the day to respond and what he accomplished in terms of everyday life.

After he left politics he didn't stop raising issues. He fought a lengthy battle in Canada for the approval of Deprenyl, a drug which is now widely used in the treatment of Parkinson's disease. At the time it was being used in Europe but it had not been approved for use in Canada. He took the cause on single-handedly and accomplished that too.

So, on behalf of New Democrats—and we had our engagements with Dr Shulman as well. I'm sure Stephen

Lewis, if he were able to be here, would tell lengthy stories about his occasions with Dr Shulman. I think we all need to recognize someone who in the course of his life here in politics as a civil servant, and then finally as someone who went on to journalism after this, accomplished an incredible amount and accomplished it over a number of fields.

I think we can say that this is someone who was never afraid of a battle and who won most of the battles he took on one way or another.

We offer our condolences to his wife and his family and once again we offer our respect to an incredible individual and an incredible parliamentarian.

1500

Hon Janet Ecker (Minister of Education): I rise to speak on behalf of my colleagues here to say a few words about Dr Morton Shulman. I share the sense of inadequacy that the leader of the third party mentions when trying to find the right words to describe Dr Shulman. I will be eternally gratefully for the fact that I was not serving as a cabinet minister when he was in opposition.

As a staffer around Queen's Park, I got to witness first-hand his style in this Legislature. His questions ranged from the provocative to the outrageous. Some of his activities in this chamber could also be described as outrageous. The leader of the third party says that the Speaker is very lucky not to have Dr Shulman in the House, and I would say so is the leader of the third party not to have Dr Shulman in his caucus. He was a thorn in everyone's side, fighting very hard—

Interjections.

Hon Mrs Ecker: The third party is pointing to their colleague from Niagara Centre. With no offence to the member from Niagara Centre, I think on your most colourful day Dr Shulman was at least a match if not—

Ms Frances Lankin (Beaches-East York): You shouldn't have said that.

Hon Mrs Ecker: I shouldn't have said that. It's now going to be a challenge.

He was known, yes, for fighting for the little guy and fighting for what he believed in and making change and making it happen.

He was also—this was in a different era, I should say—concerned about security around the Legislature. His way of making the point was to actually walk into the building with a weapon which he unwrapped in the Chamber, to the great consternation to the members of the government who were convinced that this was it, that he had finally crossed the barrier. It was, I'll say, amusing to watch many cabinet ministers of the day diving under their desks. He did make the point and, as usual with him, it was effective if a tad unorthodox and a little colourful.

He described himself once as "a skinny Jewish kid in a WASP north Toronto area who was no good at sports and too good at school." Mr Bradley across the way talked about orators in this place. I don't think I would have used the word "oratory," but he certainly had a very

colourful way to describe the issues he was talking about at the time.

Yes, he did run, he did serve as a member of the NDP, but he was also known for his incredible ability to be financially successful at whatever he did. It was one of his rather interesting talents. Having lost \$400 on the stock market, he got his revenge by becoming overwhelmingly successful financially. He wrote a book, *Anyone Can Make a Million*, and wrote another book, *Anyone Can Still Make a Million*, just to rub it into all those people who didn't think he had the ability to do that.

He was someone who I think will be sadly missed in the politics of the day at whatever he turned his hand. He had an impact as a physician, he had an impact as a coroner and he certainly had an impact as an elected official. Even in—I will use the word loosely—retirement, his fight for those who suffer from Parkinson's I think also very much had an impact.

Just in closing, a comment that was in one of the obituaries written about him at the time of his passing. His son-in-law said, "He was living four times the life of any normal mortal. Contemplating doing half of what he did would exhaust me—he lived at a speed which is different than the normal mortals I know."

He certainly was no normal mortal, and the thoughts of our caucus, as with everyone in this House, go out to his son, Dr Geoffrey Shulman, his daughter, Dianne Saxe, his eight grandchildren and his former wife, Gloria Bossin.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to congratulate the Minister of Education, because I think we all hope that when our time comes whoever gets up to eulogize us gets as close to the truth as one should under these circumstances.

How do we talk about Morty Shulman? Well, I think the truth has to be acknowledged that there probably has never been in the post-war period a more colourful and more controversial member of this Legislature than Dr Morton Shulman.

I beg to differ with the leader of the third party. Morty didn't just torment Tories; he tormented the New Democrats. I well remember New Democrats—Morty left in 1975, and I think of the late Mr Speaker Stokes, for example, telling me about what it was like to be whip of a caucus where Morty was part of the band. Morty could torment, and he did, always with good intent.

I was thinking as well that we are a very antiseptic place these days, some would even say banal. Morty Shulman reminds us of a time when the Ontario Legislature had really outrageous characters, and he was leader of that band, ably assisted by the likes of Elmer Sopha, Frank Drea, Eddie Sargent and a few others—colourful, iconoclastic, independent. Morty wasn't a Tory, he wasn't a New Democrat; he was an independent. He led the Morty Shulman party.

In 1966 he wrote a best-selling book, *Anyone Can Make a Million*, and then looked across the political landscape and decided to join the NDP. He did that. And

what was his first question when he got up here in 1968? A question to Bob Welch: "Are you going to lay charges against E.P. Taylor and the Canadian Brewing Co for their failure to comply with certain provisions of the Corporations Act?"

Janet was right to talk about the day in 1975 when, to make a point about the laxity of Ontario's gun laws, he went out and bought a semi-automatic rifle and brought it in here, to the shock and horror of everyone. He did more than that. In 1973 the morality squad decided to outlaw and ban The Happy Hooker. Do you know what Morty did? Morty decided to buy several boxes of the famous book, put them on sale in his Queen's Park office, offered members a 10% discount, and sold out in no time. He actually did that. He tells the story about how the author called to offer some consideration—his story, not mine.

He was bright, he was iconoclastic, he was intensely controversial. You either liked Morty or you didn't, and there were many in both camps. He was someone who was part Teddy Roosevelt, part John Diefenbaker and part Don Quixote. One day he was chasing the Mafia, the next day he was chasing Bay Street brokers. One day he was chasing the Minister of Health, the next day he was chasing the Toronto Telegram. Every day with Morty was a day of discovery.

There were lots of broken pieces as he tilted at windmills, and there were lots of positive benefits for individuals. He tells the story of the day his daughter applied for and obtained employment with the Ontario government. When the word got out that his very bright, able daughter, Dianne, was about to be hired by the Ontario government, the said Ontario government went apoplectic. It wasn't until Darcy McKeough, the responsible minister for the department about to make the hire, intervened and said, "If she makes the test of the interview, then we will hire her." She was a very able servant of the Ontario government for years, and may be still working for us, I don't know.

I just want to say in conclusion that, in the annals of Ontario legislative history, when people think about characters, colour and controversy, Morty Shulman will certainly lead that hit parade.

1510

The Speaker (Hon Gary Carr): I thank all of the members for their comments, and, again, we'll make sure each of the families receive copies of today's Hansard.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I would seek unanimous consent to complete question period in total for 60 minutes, notwithstanding that we will bump up against 4 pm, and that then we go to orders of the day.

The Speaker: Is there unanimous consent? Agreed.

ORAL QUESTIONS

HEALTH CARE REFORM

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Premier. I believe that one of the most important things we can do through this Legislature is to ensure that each and every Ontario family has access to the best quality care and, in particular, emergency room care, that they can absolutely depend on.

I don't know what you believe, but I can tell you what you have done on that score. You closed 5,700 hospital beds, and you have put nothing in their place. You promised us 20,000 long-term-care beds, but not a single one is up and running.

The amount of time that our emergency rooms are turning people away is up 66% this past year alone. There was a time when we experienced crises in our emergency rooms on a cyclical basis, maybe every January of every year. But now it turns out that virtually every day of the year we are having difficulties, in fact a crisis, a real and genuine crisis, in our emergency rooms.

My question to you, Premier: why are you continuing to fail Ontario families when it comes to ensuring they've got access to reliable, dependable emergency room service?

Hon Michael D. Harris (Premier): I think the minister can respond.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I really find it quite surprising that you would make the comments that you do, because you know full well that this is a long-standing issue. In fact, it was the Liberal government that first had the headlines in the papers and offered absolutely no solutions. In fact, November 1986: "Overcrowding these patients on stretchers ... patients wait in line for hospital beds." You were the government that stopped—

Interjections.

The Speaker (Hon Gary Carr): Order. Would the Minister of Health take her seat. We're going to start off bright and early. This is the last warning for the member for Windsor West. You can't right off the bat, when she immediately starts standing up, begin to shout at her right across. I've said on numerous occasions that heckling is OK if you say a few words back and forth, hopefully with some humour like some of the members do, but you cannot get up immediately when somebody gets up and just shout across for the entire time. This is her last warning.

I'm going to begin with each and every member. Again, I want to stress it, and I've said it numerous times. Heckling is OK in this place, but we are not going to tolerate people just continually shouting and talking across to the other side. This isn't a case of trying to cut down the other side and not hear answers. It's not going to happen. Last warning to her.

Sorry for the interruption to the Minister of Health.

Hon Mrs Witmer: As I just said, in the paper as recently as today, Harold Fisher, assistant director of the emergency department at Mount Sinai said, "This is a very old problem. It is at least 10 years old. It is not a new issue."

I guess what is new today is the fact that while it was a problem for the Liberals and you had no solutions, we set up an emergency task force involving the nurses, involving the doctors, involving the ambulance drivers, and involving the hospitals. Since 1998, those individuals have come forward with their very best advice. In fact, they continue to meet today in order to ensure that we have a comprehensive emergency room strategy.

Mr McGuinty: When are you going to have the guts to admit that our emergency rooms are worse off today than they've ever been before in the history of this province? Minister, you said you were going to make things better and, by the way, we are in the sixth year of the Harris government. You said you were going to make things better and you closed our hospitals, you shut down our emergency rooms, you fired our nurses and then you refused to put in place and get up and running long-term-care beds. That's what you did. This crisis is the result of your gross mismanagement and incompetence because of restructuring health care in Ontario.

Now I understand that this Sunday you're going to close down the emergency room in the Wellesley Hospital and in a few months from now you're going to shut down the emergency room in Women's College Hospital. It seems to me that the first thing you should do when you find yourself in a hole and you want to get out is to stop digging. I'm now asking you to stop the emergency room closures in Ontario so that we can begin to safely accommodate those Ontarians who find themselves inside ambulances with no place to go.

Hon Mrs Witmer: The Leader of the Opposition really doesn't get it. They had no solutions when they were in office and they have no solutions today. That's why we've undertaken the comprehensive restructuring of our health system. That's why we know, in order to address the pressures in emergency rooms, that you need to construct 20,000 long-term-care beds. By the way, it was your government that stopped the construction in 1988 and there were 10 years of no long-term-care construction. That's why we've announced an investment of \$1.2 billion, not only into long-term care but into community services. In fact, we have the highest per capita amount of money being spent. That's why our government is the first one in the history of Canada to announce primary care reform. That's what it means to have a comprehensive emergency room strategy, and when we want to talk about Wellesley—

The Speaker: I'm afraid the minister's time's up.

Mr McGuinty: Minister, in 1995 in Ontario hospitals we had a 90% occupancy rate. Today we have a 96% occupancy rate. That means there's only a 4% cushion to accommodate ambulances which are showing up with people in desperate need of medical attention. Experts tell us we should have a cushion of 15% so that we can

comfortably accommodate people who are showing up in our ambulances.

There's a way we can relieve this pressure and avoid the disaster. Mark my words, we are going to have a huge disaster in this province in January if you don't do something. Here's a proposal: let's put 1,600 acute care beds back into the system so that we can comfortably accommodate all of those people who are otherwise going to be shut out of hospitals which they should be able to depend on and which you have been shutting down on them.

Hon Mrs Witmer: The Leader of the Opposition knows that not only have we developed a comprehensive emergency pressure solution, but we have done so with our stakeholders. This is not advice that unilaterally is being presented. The advice we are receiving is from the hospitals, it's from the doctors, it's from the nurses, it's from the ambulance drivers. It is a comprehensive strategy. We have invested \$620 million.

Let me read a letter from Ron Kelusky from Toronto Emergency Medical Services. He said on September 26, "You should know that every patient transported by an ambulance within the city of Toronto is found a medically safe and appropriate destination prior to leaving the scene of the call. In general, the entire system works very well and we continue to work with the ministry and the hospitals to better respond to the surges in demand whenever this may happen." We will continue to work with our—

The Speaker: The minister's time is up.

1520

SAFE DRINKING WATER PLAN

Mr Dalton McGuinty (Leader of the Opposition): My second question is also to the Premier. I believe that one of the things we need urgently now is a safe drinking water plan so that we can guard the health and well-being of Ontarians by protecting their water, but you haven't been doing your job in that regard.

Today Dr Murray McQuigge—he's the medical officer of health for Walkerton, that genuine hero who blew the whistle on the toxic water that was coming out of their taps—said that your new regulations are inadequate to protect our water. He said specifically that your new regulations would not prevent another Walkerton from happening. That's what Dr McQuigge said. Your Environmental Commissioner calls your actions on groundwater "fragmented and uncoordinated." He said, "The ministries don't have a publicly recognizable strategy." All of this is telling us that today in Ontario, post-Walkerton, post-six deaths, we still don't have a safe drinking water plan. Premier, will you table that plan here and now today?

Hon Michael D. Harris (Premier): I think the Minister of the Environment can answer that one.

Hon Dan Newman (Minister of the Environment): We have a tough new regulation in place to protect the drinking water for the people in this province. We also

have Operation Clean Water. The objectives of Operation Clean Water are to ensure that we have tough, clear regulations in place that have the full force of law in our province. Operation Clean Water also calls for effective inspection and enforcement taking place within all the waterworks facilities in the province—630. It calls for tough new penalties for non-compliance and also delivers strategic investments and delivery practices to ensure that they're put in place to protect drinking water for everyone in Ontario.

Mr McGuinty: I appreciate the reassurances offered by the Minister of the Environment, but if I have to choose between Dr Murray McQuigge and this minister, I'll side with Dr McQuigge, who says you don't have a drinking water safety plan in Ontario.

Do you know what we did? We got hold of the freedom-of-information people. We sent over a letter, and they came back with a response and they said—and this is their wording—"After a thorough search of the water policy branch, we note that the groundwater strategy document is not finalized." What we've discovered from your own people is that in fact there is no safe drinking water plan today in Ontario.

This is the sixth year of the Mike Harris government. This is some four months after Walkerton; four months after we buried six people. I'm asking you now, Minister, when are you going to deliver to us in this Legislature a safe drinking water plan?

Hon Mr Newman: I say to the Leader of the Opposition you're wrong again. We have Operation Clean Water in effect right now. We also have the tough new regulations. We also have a consultation out there with small waterworks. But if you say you won't listen to me, perhaps you'll listen to the newest member of your caucus who said, "I think the Minister of the Environment needs to receive some kudos, frankly, for some of the—"

Interjection.

Mr Rick Bartolucci (Sudbury): Shut your mouth.

The Speaker (Hon Gary Carr): Order. Minister take his seat and stop the clock. The member will have to apologize for that.

Mr Bartolucci: I apologize.

The Speaker: And withdraw it, please.

Mr Bartolucci: I withdraw.

The Speaker: Thank you very much.

Interjections.

The Speaker: Order. The tempers going back and forth on both sides aren't helpful. I say to some of the members that tough questions can be asked—

Interjections.

The Speaker: When we yell back and forth, personal insults don't do anybody any good. In situations like this, and I'll use the example of the leader of the official opposition, he asks very tough, passionate questions but he doesn't sit there and yell across to the other side. That's what question period is all about. This yelling across and personal insults like that are not helpful to

anybody. I would ask all members to think before they yell things like that across again.

Minister of the Environment.

Hon Mr Newman: I was pointing out to the Leader of the Opposition what the newest member of his caucus said about the new drinking water protection regulation in this province. This is what Ted McMeekin, the MPP for Ancaster-Dundas-Flamborough-Aldershot, said: "I think the Minister of the Environment needs to receive some kudos, frankly, for some of the action that has taken place for putting the water regulations in place." That's what he said. Why doesn't he listen to his own caucus?

The Speaker: Final supplementary.

Mr McGuinty: Someone who lends some real insight into how we should view the minister and his commitments is the Environment Commissioner himself. This is what he said about the minister: "On at least two occasions, the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out." He's telling us that you did not do what you said you would do. This is your own Environment Commissioner. He says that you are misleading the public.

I'd ask people watching this to understand the gravity of that kind of a criticism coming from that individual holding that office. What he's telling us is that you are continuing to fail the people of Ontario. You are continuing to fail to protect their health by protecting their water.

I'm asking you again, on their behalf, when are you going to table in this House a real and genuine safe drinking water plan?

Hon Mr Newman: The Leader of the Opposition would know that last Friday he would have received a report on the update of Operation Clean Water. If you didn't get a copy, I'll send you another copy. But all members would have received copies of Operation Clean Water.

Operation Clean Water is our plan to ensure that there are tough, clear standards in place with the full force of law to protect drinking water in our province. It calls for the effective inspection of all 630 facilities. In fact, by the end of this year, all 630 municipal waterworks will be inspected in our province. Well over half of them have been done to date. We also have tough penalties coming in place through the force of law with new drinking water regulations. We also have a commitment of at least \$240 million to the OSTAR program to supply smaller municipalities with assistance with waterworks.

The Speaker: New question?

Mr Howard Hampton (Kenora-Rainy River): Is the Premier coming back into the—

The Speaker: I don't believe we see him. He may go on to another question. I don't believe he is.

Mr Hampton: In that case I'll—

The Speaker: Stop the clock.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker, in response to this comment

regarding the Premier: I don't think any one of us here anticipated that we would be taking as long as we did for the tributes. We understand; we support it. I do think it's important that the House recognizes that the Premier had some commitments.

The Speaker: I thank the member for his comments. I will also say this: It isn't helpful when we have personal comments. That particular comment was directed towards the Premier. We know what he said. He was told to shut up.

On occasions I've said the same thing to the Premier, as everyone in this House knows, about personal accusations. I don't favour one side or the other. But when we get in a situation where we shout personal insults back to each other, this is sometimes what happens.

Again, I hate to embarrass the leader of the official opposition. He asks tough, passionate questions, but he doesn't shout across while the answer is being given. If other members could look to that leadership, as well as to some of the other members, that's the way it should be done. Leader of the third party.

WASTE MANAGEMENT

Mr Howard Hampton (Kenora-Rainy River): My question is for the acting Premier. Your government continues to say that the Adams mine site is safe and that people who live downstream from it don't have to worry about toxic leaks from the garbage. You say there's no problem.

Acting Premier, six days ago there was an earthquake measuring 3 on the Richter scale only 36 miles away from the mine site; 27 days ago there was another earthquake 30 miles away. This is in the middle of an active earthquake zone. Are you telling people that they don't have to worry about leaks, that they don't have to worry about cracks and fissures in the ground in the middle of an earthquake zone? Is that what you're really telling people?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the Minister of the Environment would like to shed some light on this issue. 1530

Hon Dan Newman (Minister of the Environment): Indeed waste management is a growing global problem and it's a very emotional issue. Let me assure you that our government takes this issue and the protection of the environment very seriously.

This project, the Adams mine, has undergone extensive and thorough technical analysis to ensure that the environment will be protected over the long term. As part of that commitment to the environmental assessment process, a full environmental was completed in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system to ensure that groundwater contamination would be prevented. Hearings lasted six months, and the board attached 26 conditions to the plan.

There was a certificate of approval issued after further technical analysis of the project, and that certificate carried with it 66 conditions. There were an additional eight independent peer reviews that carefully analyzed the details of the plan, and they submitted their reviews to the Environmental Assessment Board.

Mr Hampton: The evidence shows that this ground this rock, is full of cracks and fissures already. The evidence already shows, going back to the 1980s, that there are leaks from those cracks and fissures. Now we've had two earthquakes in the last two months, and if you go back to January 1 of this year, there was a further earthquake in the area, measuring 5.3 on the Richter scale.

Are you honestly telling the people who live downstream from that mine site that with three earthquakes in less than a year, there is no risk of leakage over the next 100 years, no risk whatsoever that contaminated water will get out of that and into Lake Timiskaming and the Ottawa River? Are you giving them your guarantee?

Hon Mr Newman: Again, I tell the leader of the third party that a full environmental assessment of the Adams mine site took place. Again, there were also the Environmental Assessment Board hearings that took place; there was a judicial review and an appeal of that judicial review, because there was an environmental assessment in place. That's far different from what you did with the Lindsay-Ops site in 1991, sir. What you did was you granted an exemption to the EA process for the expansion of the Lindsay-Ops landfill.

Mr Hampton: We'll take up the Lindsay-Ops dump site some other time. The fact of the matter is that since you began this process, after you granted the environmental assessment approval, we have had three earthquakes, one of them measuring 5.3 on the Richter scale. It should be obvious to anyone that your plan is to dump toxic garbage into what is now a lake that is loaded with cracks and fissures and that is now, we know, an active earthquake site which is likely to develop more cracks and fissures.

It's not too late. You can call a halt to this bad process, this one-way process, before you have another environmental disaster on your hands. Will you do that? Will you acknowledge that an active earthquake zone is not the place to put 20 years of toxic garbage?

Hon Mr Newman: Again, there was a full environmental assessment that took place with respect to the Adams mine landfill. There was an Environmental Assessment Board hearing, a judicial review of that, as well as leave to appeal that was given. There were independent reviews given. It's the experts who decide whether or not that would go forward, and I can tell you that through all the data and all the reports, they have recommended this. We stand behind the environmental assessment process.

SAFE DRINKING WATER LEGISLATION

Mr Howard Hampton (Kenora-Rainy River): My next question is also to the Acting Premier. We have a serious problem in Ontario in terms of your government being able to guarantee and assure people of the safety of their drinking water. You can't even guarantee the people of Walkerton that they will be able to drink their water before Christmas. You've got a real problem. We want to help you with it. This Thursday, Bill 96, the Safe Drinking Water Act, which goes through a number of the issues that your government must confront in order to assure people that their drinking water is safe to drink, comes up for debate and for second reading. Will you, Acting Premier, be supporting the Safe Drinking Water Act, Bill 96, this Thursday?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the Minister of the Environment would like to comment on that particular bill.

Hon Dan Newman (Minister of the Environment): I just want to again take the opportunity to remind the member opposite that we do have Operation Clean Water in effect, a very comprehensive plan to protect drinking water in this province. We have a tough new drinking water protection regulation.

But let me remind you that we have been there for the people of Walkerton from day one. We've replaced 4.6 kilometres of water main. The pipe replacement is complete and work on the service connection is continuing. We've issued orders to stop using well 5 and we've issued a hydrogeological study in areas surrounding the other wells. The Ontario Clean Water Agency is installing the interim filtration system to be put in place by October 30. Every house and every building within Walkerton has been sampled as part of the confirmation program to ensure the efficiency of the house-to-house flushing that's taking place, and we continue to be there.

I want to remind everyone just what the mayor of Walkerton said about this government at the AMO conference. He said, "While there may be some who may have questioned the province's commitment to address our tragic circumstances, I can personally tell you from day one the Premier, the Minister of the Environment, the Attorney General and the entire Ontario support team have done whatever it takes to help us restore clean and safe water."

Mr Hampton: The question was, is the acting Premier going to support the Safe Drinking Water Act? What we got from the Minister of the Environment is more gobbledegook. Dr Murray McQuigge today has said that what you have put in place so far doesn't do anything that is effective.

So I'm going to repeat the question: will you be supporting the Safe Drinking Water Act? But I also want to ask you this. We now know that the E coli has been identified as coming from cattle manure runoff. Your government promised last spring that you were going to introduce legislation to control intensive farming. You said that last spring. Nothing happened. Now you have

said it's going to happen this fall. Well, it's the fall, Minister. When are we going to see the legislation controlling intensive farming and are you going to support the Safe Drinking Water Act?

Hon Mr Newman: I'll refer the question to the Minister of Agriculture, Food and Rural Affairs.

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): To the member opposite I want to say that, as he pointed out, we have been doing intensive consultation on the issue of nutrient management in the agricultural area of the province to make sure that, as an agricultural community, we are doing the best possible job of handling those nutrients from the livestock operations.

As he will be aware, we have been consulting through the summer, and as recently as last Saturday we met with a great number of stakeholders to discuss the issues that we've had out for consultation for the summer. We hope to be able to put that all together and come forward with a plan that will deal appropriately with the issue.

NORTHERN HEALTH TRAVEL GRANT

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Health. A short while ago a story came off the newswire, and this is the title: "Harris Says Health Travel Grants Discriminatory to Southern Ontarians."

It says, "Ontario Premier Mike Harris admits there's discrimination in his government's financial help for medically necessary travel, but he says it's southern Ontarians who get less cash."

In one fell swoop, your boss, the Premier, has insulted all northern Ontarians, but especially their families and especially sick people. How is it that you can possibly justify your Premier making this kind of a statement? I would have preferred to put the question to him, but I can't. Can you now stand up and disassociate yourself from this comment and admit, finally, that if there is discrimination, it is clear that your government's policies are discriminating against cancer patients who reside in northern Ontario?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the leader knows, there are two distinct travel plans in the province of Ontario. If we take a look at the northern health travel grant, it is available only to people who live in northern Ontario. It is not available to people who live in southern Ontario, even though some of those people might have to travel long distances.

If we take a look at the cancer referral program, everyone in the province of Ontario is eligible for reimbursement, no matter where you live in the province. It treats everybody the same.

The Speaker (Hon Gary Carr): Final supplementary.

1540

Mr Rick Bartolucci (Sudbury): Minister, on behalf of your Premier, I want you to stand in your place and

apologize to the people of northern Ontario who have to travel for treatment. Apologize to Janet Skinner, who's spent \$40,000 trying to save her life. Apologize to Sue and Dan Piché, who received their first travel cheque after their son had died from leukemia and they had spent \$35,000 trying to save his life. Apologize to Paul Defant, whose 23 visits to Toronto fighting leukemia have caused him to spend thousands of dollars. Apologize to all those cancer patients who are travelling for care, who are paying from their pockets in order to get the treatment they require. On behalf of your Premier, I want you to stand in your place and apologize for your Premier's comments.

Hon Mrs Witmer: Unfortunately, the member has not always been interested in the facts concerning the two programs, and I would just repeat what I said before: the northern health travel grant is available only to people in northern Ontario who are travelling to receive specialized health services. There is no grant available for people living in southern Ontario, and some of those individuals have long distances to travel as well.

The cancer care program is a program of re-referral if care cannot be provided at the local location, and it is available to any Ontarian who is asked to leave their own site.

COST OF ELECTRICAL POWER

Mr Doug Galt (Northumberland): My question is for the Minister of Energy, Science and Technology. Representatives from various electric utilities in my riding have approached me with concerns about Bill 100, the Ontario Energy Board Amendment Act. There is a perception that the intent of our government in introducing this bill is to have Hydro One take over most of Ontario's utility services and leave only a few other mega-utilities. They believe that this will not create better service for the consumer but, rather, create a more powerful Hydro One. If this is true, I can understand the opposing arguments. Could you please clarify the purpose of this bill and correct any misconceptions?

Hon Jim Wilson (Minister of Energy, Science and Technology): Bill 100, which is An Act to promote efficiency in the municipal electricity sector and protect consumers from unjustified rate increases, was introduced in this Legislature in response to OEB procedures of this year. This past May, the 25 large municipal utilities were asked to file with the Ontario Energy Board their rate applications. What we found after we tallied up the numbers is that the average price of electricity for municipal ratepayers would go up about 17% in those 25 municipalities, like Toronto and like Mississauga. Since municipalities are responsible for a small portion of the bill—they're responsible for the wires portion, what we call the monopoly portion of the bill—that meant that most of those municipalities, on average, were asking for a 72% increase in the portion of the bill that they were responsible for.

Obviously consumers needed protection until the Ontario Energy Board, for the first time, is able to bring in performance-based regulation and put a lid on these large increases. In the meantime, I would ask members to support Bill 100.

Mr Galt: I realize that the purpose is to place the consumer first and to create a level playing field. However, with Hydro One's ability to earn a rate of return on acquired assets and its ability to write off interest on acquisitions, will this have any effect on how rates will be established down the road and give Hydro One a definite advantage over the other utilities?

Hon Mr Wilson: I remind members that when I was appointed minister some three years ago, we had 303 municipal electrical utilities. That's several times more than the rest of Canada combined. Quebec has 12 utilities; most of the provinces have one or two.

Today we still have over 250 municipal electrical utilities. Bill 100 and the directive we sent to the Ontario Energy Board try to encourage those municipalities, along with the tax exemption, to become efficient, to amalgamate and to pass those savings on to customers. Remember, they're given a monopoly business. This has nothing to do with the competitive side of the generation business of this province.

With respect to Hydro One, it is treated under the law the same as Toronto or Mississauga or any other large utility. It has the exact same rules and the exact same set-up. In fact, if Toronto and Mississauga or Toronto and any other utility would get together, they would be larger than Hydro One. We need our 257 municipal utilities to get together and become larger than Hydro One. It's a regulated monopoly. The Ontario Energy Board, on behalf of consumers, will determine those monopoly rates in the future, regardless of the size and regardless of ownership.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, I want to ask you about the turmoil you've caused in the high schools in particular, for the students in high school this fall. Last year virtually all, 70 out of 72 school boards, had substantial extracurricular activities, 97%. You insisted on bringing in a new law, and now we have students and parents demonstrating all around the province. They're being deprived of extracurricular activities because you have put a new burden on teachers because you changed the rules with your law last spring.

Now, Minister, O'Ryan, who is the student council president at Humberstone Collegiate, where I was last week, wants to know, will you bring some peace back to the schools? Will you provide the flexibility and the funds to give back the extracurricular activities that you have taken away?

Hon Janet Ecker (Minister of Education): First of all, I'd like to say to the honourable member that I

certainly share the concerns of those parents and those students in those schools who are finding that the teachers in those schools are not doing extracurricular activities, have chosen not to do so. I share their frustration. I have certainly said to them that walking out of class, I don't think, is the most appropriate way to express that and have given them some suggestions for making those views known, because I think those are very important comments and concerns they are registering in their communities and with their school boards and with the other members in their school.

But I think the other thing that the honourable member does not wish to mention is that there are literally thousands of teachers in this province who, because they care about the kids, are choosing to provide extracurricular activities. They see it as part of their job, they see it as something that students need as part of their education.

The other thing to say—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary.

Mr Kennedy: I'd like to ask the minister, on behalf of the students in this province, to kindly get her head out of the sand. The principals, as you know, because they sent you a copy of the results—the principals' association has done a survey of schools, and 74% of 92 high schools have either decreased extracurricular activities a great deal or completely ended them.

Minister, you are responsible. Last spring 97% of the boards and the schools had extracurricular; now 74% have either dramatically reduced or stopped altogether. Do the math. What kind of example are you setting for the students of this province when you refuse to take responsibility? You won't admit that when you give the teachers 25% more class time, extracurriculars are going to lose out.

Now, Minister, something does have to give. Will you—

Interjection.

The Speaker: Stop the clock; sorry to interrupt.

I asked the member not to yell that. What happens when somebody yells that? The person asking the question doesn't know if it's me or somebody else. It gets very confusing. I will handle the time. I appreciate it from the member. I hate to embarrass him, but when it starts with that, everybody does that and then we can't control it. Particularly down at the other end when somebody is asking, they sometimes have trouble with the time. Please don't yell that again.

Final supplementary.

Mr Kennedy: Minister, what right do you have to interfere with these students' lives? They're losing their sports, their help room, their orientation. Some of their classroom is affected, their dances, their academic clubs. You're taking it away from them, Minister. Will you put aside the sledgehammer? Will you find a way around your confrontational approach? Will you bring some peace to our schools by returning the flexibility and the

funding that you took away and do some honour to the students—

The Speaker: Time is up. The Minister of Education?

Hon Mrs Ecker: The honourable member talks about an example. What kind of an example is it for students when they see in their own community teachers who see extracurricular as part of their job, who do extracurricular as part of their job, who choose to do that because it's important for the kids, and at the next school some of those teachers are choosing not to do it? Of course those students are frustrated.

1550

We have set a workload standard, four hours and 10 minutes on average, for a teacher. It's set on the national average. It was set three years ago. I'd like to say to the honourable member, what level of workload would he like to see for teachers? How long does he think this political fight between a teachers' union and a school board or a teachers' union and a government—how long does he think they should keep that political fight going on on the backs of our students? I'm with those thousands of teachers who are helping students. I'm with those students who are out there saying to their teachers, "I want extracurricular activities!"—

The Speaker: Order. The minister's time is up, I'm afraid.

WALKERTON TRAGEDY

Mr Brad Clark (Stoney Creek): My question is for the Minister of the Environment. I heard earlier today from one of my constituents that they read in the paper that a company called Rhodes Consulting is doing work for your ministry. Can you tell me what this contract is and how much it is costing the taxpayers in Ontario?

Hon Dan Newman (Minister of the Environment): I want to thank the member from Stoney Creek for his question. In fact, the situation in Walkerton has created some considerable concern for the people of Ontario, and it was important to ensure that we as a ministry were effectively communicating the necessary information to the people of Walkerton in a timely fashion.

Given the increased attention to water initiatives, it was necessary to hire additional resources to communicate the initiatives that we have undertaken to assure the people of Ontario that their drinking water is safe. Yes, it is true that Rhodes Consulting has been contracted by my ministry for a three-month period. It was a tendered contract. Three companies responded with bids and Rhodes Consulting was selected. I want you to know that the ministry's current overall communications budget for all programs, including Drive Clean, is \$6.1 million. Rhodes Consulting is being paid \$50,000, or less than 1% of the overall communications budget.

Mr Clark: Minister, can you please explain to us in the House here, what are the initiatives you're undertaking to secure the water system for Walkerton residents?

Hon Mr Newman: Indeed, I want to remind everyone that we've replaced 4.6 kilometres of water mains. The pipe replacement is indeed complete and the work on the service connections is continuing. We've issued orders to stop using well 5 and ordered a hydrogeological study in areas surrounding the other wells.

The Ontario Clean Water Agency is installing the interim filtration system, and that's expected to be in place by October 30. Every house and every building has been sampled as part of a confirmation program to ensure that the disinfection program has taken place with respect to the flushing of all the houses.

We continue to provide an alternative supply of water to local long-term care facilities, the hospital and jails, with water trucked daily from the nearby town of Hanover. We continue to work with the municipality on longer-term supply options to ensure a safe and secure water supply for the community affected.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Health. Minister, my question is, when is your government, your Premier, yourself, going to end your discrimination against northern cancer patients? For 18 months now, your government has paid 100% of the costs for southern Ontario cancer patients to get treatment elsewhere: 100% of the cost of travel, food, accommodation, taxi fare. Your government did this because these patients have to travel far from home to access cancer care and you didn't want them to have to suffer a financial burden when they did so.

Madam Minister, cancer patients in northern Ontario travel far from home every single day when they access care in Thunder Bay, in Sudbury, in Toronto and in Ottawa. In contrast, your government pays them a mere 30 cents per kilometre one way from their home to the cancer treatment centre.

Minister, your government's discrimination cannot continue. When will it end?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): In response to the member, I find it very surprising, when the member's party was in office for five years and had the opportunity to make changes to the northern health travel grant, that it did not at that time choose to do so. In fact, it was the NDP government who decided they would tighten the criteria. You actually required patients to access the specialist nearest to them.

In response to your question, again, I would just remind you of the fact that Cancer Care Ontario has made a decision that if people are to be referred because their home centre cannot offer the treatment, whether that centre be Thunder Bay or Sudbury or London or Toronto, and they must travel elsewhere, that they have made funding available.

Ms Martel: May I remind you, Minister, that in early May your own finance minister admitted publicly on CBC that there was a problem with your policy of 100% funding of southern cancer patients and minor funding

for northern cancer patients to access care. You yourself in this House on May 8, in response to questions we raised on behalf of Anna Watson who was here from Fort Frances that day, said that you would review this inequity. Four months later there is still no report with respect to this issue and still the discrimination continues. You have tried to argue that this funding is temporary and that it will end when the waiting list for cancer ends. This program has gone on for 18 months now, and in light of the announcement of a seven-month waiting list for breast cancer, it's going to go on a whole lot longer.

Minister, there is nothing fair, there is nothing just about this health care apartheid. When will your government end its discrimination against northern cancer patients?

Hon Mrs Witmer: We are reviewing the policy. I had indicated that we would do so. I think the member probably knows that we are one of only five provinces and territories to offer any travel assistance at all to people in the north. In fact, Quebec, Alberta and Saskatchewan don't have any programs. We are presently spending more than any other territory or province on travel and, again, our program is under review.

ENVIRONMENTAL PROTECTION

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. Yesterday in the estimates committee you gave some rather astounding and incredible responses to questions about your government's abysmal record in dealing with polluters. Fortunately, we have the Sierra Legal Defence Fund, which produced a report called *Who's Watching our Waters?* It's a report on who's polluting and the government that's permitting it.

Minister, you told the committee—and I quote you—“There would be no companies that can violate the laws of this province. There are no companies that are allowed to pollute our environment.”

Minister, how can you, in all good conscience, tell such a bald-faced story when according to your own ministry they have admitted to over 3,300 cases of facilities breaking our water pollution laws and yet out of those 3,300 facilities, those polluters, you prosecuted only one?

Hon Dan Newman (Minister of the Environment): I can tell you that we take the enforcement of the environmental laws of our province very seriously. That's why last week I announced an environmental SWAT team, a team of 65 new staff, a separate unit within the Ministry of the Environment, including 30 investigators—nine investigators, a program analyst, engineers and scientists who are going to be out there ensuring that all the laws in this province are upheld. We want to ensure that we're out there, the environmental SWAT team is out there, to go after the repeat and deliberate polluters, both individuals and corporate polluters who are out there polluting our land, air and water in our province.

Mr Bradley: The announcement was absolutely an embarrassment. You got mugged by the Chair of Management Board, by the Premier, because they gave you only 65 staff—heaven knows where they're coming from. But let me get to another question I asked you in the estimates. Now, I tried to hear the answer today. Three times I tried to find out how much you are paying Mike Harris's good friend, Paul Rhodes, that big-time Conservative lobbyist and public relations expert. I asked you three times this morning outside of cabinet. You did not answer. The cat had the Premier's tongue; he had no answer. Everybody was scrambling. Would you confirm now that what you said was you're paying him an astounding \$50,000 to bail you out of the embarrassment surrounding the environmental problems and policies of this government? Fifty thousand dollars in the pocket of Paul Rhodes? Tell us it's not true.

1600

Hon Mr Newman: The member opposite raises the issue of the environmental SWAT team. In fact, those 65 new positions are an important first step. This was a campaign commitment we had in our Blueprint document. A promise made is a promise kept with this government. Where are we going to get the members of the new SWAT team? We intend to hire the brightest and best people to fill those 65 new positions within the Ministry of the Environment.

I answered the question with respect to the contract with Rhodes Consulting. I indicated that there has been a contract for a three-month period within the Ministry of the Environment. It was a tendered contract. Three companies responded with bids, and Rhodes Consulting was selected. Rhodes Consulting is being paid \$50,000, or less than 1% of the entire communications budget of the Ministry of the Environment, which is \$6.1 million.

TOURISM

Mr Brian Coburn (Ottawa-Orléans): My question is for the Minister of Tourism. Eastern Ontario is one of the premier tourism regions in our province, with the nation's capital, the St Lawrence Seaway, the beautiful Ottawa Valley and more. Eastern Ontario borders Quebec, and Ontario has lost a share of the tourism market to Quebec, which increased its market share by 4% last year. Many of the visitors to this region enter by crossing the St Lawrence River from the US. I ask the minister what his ministry is doing to promote the St Lawrence River area as a gateway to eastern Ontario?

Hon Cameron Jackson (Minister of Tourism): I'd like to thank the member for Ottawa-Orléans for his question. He's absolutely right. It's not just coincidence, but today is World Tourism Day. We're reminded that tourism is one of the fastest-growing businesses in the world and that it is also one of the most competitive. That's why it's important that we realize that eastern Ontario has room to grow in terms of its tourism product. That's why the Premier committed over \$50 million in this last budget to expand our marketing and advertising

efforts in the United States and in Quebec in order to attract more tourists to our province.

It's part of the \$170-million, four-year commitment in marketing, and as a result, we've created a new industry partner proposal program, the first of its kind. One of the first applications is for a \$100,000 commitment to the St Lawrence Parks-Seaway corridor area. They have leveraged a half-million additional private sector dollars, both from the US side of the border and from Ontario. This is a very exciting bipartisan agreement.

Mr Coburn: That is good, and it's encouraging news for eastern Ontario. The Thousand Islands, the St Lawrence River draw people from around the world to this region, where they are certainly invited to join us in the capital and the Ottawa Valley and throughout the St Lawrence River Valley. What additional steps is the minister taking to promote and develop tourism in eastern Ontario and create more jobs in this important industry?

Hon Mr Jackson: Not only have we invested this additional \$100,000 to create a new marketing relationship on the St Lawrence, we've also recently put \$3.1 million, capital dollars, into the St Lawrence Parks Commission. It's an important tourism property in eastern Ontario. This has enabled us to invest in the infrastructure, to improve the marina facilities and to restore the retail program at the village cheese shop.

I want to report to members that these efforts have netted some positive results. In fact, in spite of all the rain we had this summer, the number of people crossing the US border into Ontario is up 5% this year and the attendance at Upper Canada Village is up 7.7%, additional proof that the new programs developed by our government are clearly working for the people of eastern Ontario.

GOVERNMENT ASSETS

Mr John Gerretsen (Kingston and the Islands): My question is to the Chair of Management Board. I have in my hands registered documentation with respect to the sale of the OHIP building in Kingston, the Macdonald-Cartier Building, on Thursday, September 21, last week. The building was built under the Conservative government under Bill Davis at a cost of over \$23 million back in the early 1980s. Until recently, it was assessed for more than \$19 million. But, Minister, you sold it last Thursday for \$12.3 million, half of what it cost to build.

The purchaser, Lape Holding Corp, immediately mortgaged the premises for \$12.7 million: \$10.8 million to Maritime Life and \$1.9 million to TCC mortgage holdings, more than \$350,000 over the price they paid for the building. Lape also then immediately leased the building back to you for a minimum of 15 years, with five renewable options for five years, for a potential 40-year lease.

Minister, why did you allow the sale of this building? Can you explain how the public interest of the taxpayers of Ontario was protected by you in this fire sale of this

property, for obviously not only less than the market value but less than the value it was mortgaged for?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): First of all, I think the member opposite is aware that we have a board of directors of the Ontario Realty Corp who received unanimous support from all parties at the parliamentary committee level. They all voted for them. They are good people and exercise good judgment.

On this particular piece of property, I just want to say that if the member wants to sit down with the board and get all the facts, I offer that to him. From the information I have been told, it was appraised not for what he said, but they have received good value for the taxpayers. It was marketed. In fact, your quote—if the Liberal option is to hang on to property, we don't believe in that. We think those dollars are best freed up to provide for hospital beds and textbooks and other programs that are of benefit to the people of Ontario. This deal gives us more flexibility in our space, it avoids costs down the line, and they have received a good deal for the taxpayer, on the information I have been given. That has been substantiated by industry experts.

Mr Gerretsen: Let's review the facts once again. You sell a building. The guy mortgages the building for the amount you sell it for, plus he puts \$350,000 in his pocket.

Minister, you know as well as I do that on most commercial properties, an owner can only arrange a mortgage for substantially less than the purchase price—unless a lease is so favourable to the owner that the mortgage holders are guaranteed their payments on their mortgages. Since you are the only tenant of the building, the lease you signed on behalf of the government and the people of Ontario must be so lucrative to the new owner that in addition to paying the interest on the mortgages—which, remember, is more than the total he paid for the whole building—he can also pay down, each and every month, the principal owing on the mortgages.

Will you table in this House a copy of the lease so that the people of Ontario can determine for themselves how you failed to protect the public interest? Why don't you admit that your sole reason for selling the property is to make your revenues look better at the expense of the people of Ontario?

Hon Mr Hodgson: To the member opposite, I'd be pleased to make the facts available to him, because I think he needs to see them. If he feels he is a better expert at real estate than the board of directors that they approved or Ernst and Young consultants, who did the business case—it was marketed. There were six bids on it. There were appraisals done as recently as June of this year.

This deal is in the interests of the taxpayers. I know the Liberals want to tie up a lot of resources and taxpayers' dollars in old buildings. We want to avoid the repair costs in the future and give ourselves more flexibility. Most large organizations in the world are getting out of areas that are not their core business. We

want to make sure that experts handle the buildings. We deliver service to the people of Ontario, and we freed up \$12.3 million for the taxpayers of this province. That stands on appraisals. It was marketed. It went through the forensic auditors to make sure the process was right, and the business case was done by Ernst and Young and it was approved by—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's—

Mr Gerretsen: Point of order.

The Speaker: Stop the clock. A quick point of order; I'll be up very quickly.

Mr Gerretsen: Is he saying he will table the lease or not, Speaker?

The Speaker: That is not a point of order. Start the clock. New question.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mrs Tina R. Molinari (Thornhill): My question is for the Minister of Community and Social Services. Last night I had the privilege of attending the opening of the Al and Faye Mintz Reena Eldercare project, a community-based facility in my riding of Thornhill that serves developmentally disabled seniors. I was very pleased and impressed at the services the community has.

My question stems from some concerns I have heard and from an article I recently read in the National Post that suggests that you would be changing the way services are provided for people with developmental disabilities. Specifically, the article left me with the impression that you may be closing the three remaining developmental facilities in the province.

Many of these people have never known any other home. Minister, can you assure Ontarians that the proper supports will be put in place to care for these people?

1610

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Reena is a great organization in the member's community of Thornhill that does an outstanding job in supporting people with developmental disabilities.

We want to look at ways we can better meet the needs and the challenges that we face in the developmental services sector. All three political parties have supported community living, indeed back to the Davis era in this province, to move people into the community, back to their home communities. We certainly have supported this initiative in the past.

Our last round for community living expired in March of this year, and we want to go out and consult with the stakeholders in the community to find out what supports, what plans, would be best to meet the challenges and the needs of these most vulnerable residents of the province of Ontario.

Our bottom line is twofold. One, we will listen before we make any decisions, and two, we will ensure that there are supports available for every single individual

with a developmental disability should one of the facilities close.

Mrs Molinari: Minister, I appreciate your answer, but I'm sure you can also appreciate that a lot of people's lives hang in the balance. It has been well documented that there are many challenges in caring for people with developmental disabilities. Having met some of the residents in the Reena elder home, I have seen first-hand some of the challenges they face. These are some of the most vulnerable individuals in our society. Can you tell me what specifically you have in mind as far as improving services for people with developmental disabilities?

Hon Mr Baird: Building on the more than \$120 million of increased funding that's gone into this important sector in the last two years, we want to go out and consult with stakeholders this fall, look at what opportunities and what challenges the sector has, and how we in government can begin to address them.

Some of the issues we will be discussing are how we address the needs of aging parents, many of whom fear what will happen to their adult children when they are no longer able to provide the care and the support that they have been able to provide for a long time; initiatives to help supportive employment to provide more opportunities for people to fully participate in Ontario life; initiatives to support day programming for young people leaving our school system; and more respite and family supports that these individuals need.

Our bottom line is that we want to do the very best job we can to support these vulnerable people in Ontario society to ensure that they leave with a good quality of life and that they can live in our community with dignity.

NORTHERN HEALTH TRAVEL GRANT

Mr Howard Hampton (Kenora-Rainy River): A question for the Minister of Health. It concerns, once again, the inadequacies of the northern health travel grant program. As I speak, there are some 2,500 people in the city of Kenora who do not have a family physician. They have to travel 430 kilometres to and from Winnipeg to see a family doctor.

One woman has had to make 11 trips to Winnipeg in the last year to see a family doctor. She's applied for a northern health travel grant. They turned her down because, they say, she wasn't referred to Winnipeg. Now the family physician in Winnipeg has referred her to another specialist in Winnipeg that she must see. Again, she must travel 440 kilometres and the northern health travel grant says, no, she doesn't qualify because she wasn't referred by a family doctor in Ontario.

Minister, we know about your generosity toward southern Ontario cancer patients, but here is a patient who has to leave the province just to get a family doctor and to see a specialist. Your government says, "No help for her." Can you tell me about the justice of that situation?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): To the leader of the third party, speaking of generosity, I think if you take a look at what our government has endeavoured to do since 1995, we have endeavoured to ensure that the services will be provided in northern Ontario. In fact, we have a new hospital going up in Thunder Bay. We have more funding for a cancer centre. We have an MRI that began operation there in 1999. In Sudbury, we have contributed over \$92 million to the hospital. We have tried to ensure we've also been able to attract additional specialists and additional family practitioners. We will continue to see that people, whether they live in the north, south or east, have access to the services as close to home as possible.

ORDERS OF THE DAY

INTERIM SUPPLY

Hon Frank Klees (Minister without Portfolio): I move that the Minister of Finance be authorized to pay the salaries of civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 2000, and ending April 30, 2001. Such payments to be charged to the proper appropriation following the voting of supply.

The Speaker (Hon Gary Carr): Mr Klees has moved government motion 60. The government whip?

Hon Mr Klees: I'm pleased to lead off the debate on the interim supply bill that is before the House today. It's always a pleasure to stand in this place and to put on the record the facts and figures surrounding the tremendous turnaround of Ontario's economy, a turnaround that has been truly beneficial to all of the citizens of this province over the last five years.

Ontarians recognize that this government treats their tax dollars with respect. The results are evident in virtually every segment of our society. I know my colleagues on the other side never tire of hearing the good news about Ontario's economy, and I know that the people of this province, as well, are experiencing in their lives on a daily basis the benefits of decisions that we made as a government over the last five years in this province.

The people of this province never tire of hearing the fact that our government has indeed balanced the budget two years in a row; that the people of this province are the benefactors of some 166 tax cuts and the creation of 745,000 net new jobs, jobs for the unemployed, jobs for young people coming out of our universities and for people who before were condemned to welfare. Now some 500,000 fewer people are dependent on welfare in this province.

We have an economy that is growing faster than that of the United States of America. It's growing faster than the G7 and, in fact, is experiencing more rapid growth and more solid growth than any other province in this

country. We have a commitment to the people of this province to create an additional 825,000 new jobs over the next five years.

The motion before us today allows the government to meet its obligations to continue to do the job of making Ontario the best place in the world to live, to work, to raise a family, to invest and to enjoy a quality of life that is truly second to none anywhere in the world.

It may seem easy to stand here today to talk about the benefits of our tax cuts and of a booming economy, but I think it's important that we be reminded, that the people of this province be reminded, that five years ago when we first came to this place, when we spoke of tax cuts both opposition parties decried tax cuts. They said, "You simply cannot cut taxes and balance the budget as well." The truth of the matter is that we did precisely that. We balanced the budget two years in a row now and we cut taxes 166 times. The economy is growing, jobs are being created, and that is to the benefit of all Ontarians.

But it's to the credit of this government that had the vision to see a new way of doing things because the old way of taxing and spending simply wasn't working. It was condemning Ontarians to a future of debt and interest payments, and it was mortgaging our children's future. Truly today, the future for Ontarians' children, for our children, is bright. There is opportunity, there is hope, there are jobs, and there is something for people to look forward to in this province.

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Good fiscal management allowed us to assure, for example, that the people of Walkerton would have every single penny needed to address the needs they have in their community and put their lives back together, and to address the issues that we've been discussing in question period today of ensuring a safe water supply.

Good fiscal management will allow us to spend a record \$22 billion on health care this year—record health care spending across this province in spite of federal cutbacks, in spite of an unwillingness on the part of the federal government to do its part. On that subject, I think it's appropriate that we give credit to the Premier of our province, who was willing to take on the federal government and to challenge them to at least restore funding on health care back to 1994 levels. I think it's important as well that we point out for the people of this province that the leader of the official opposition, Mr McGuinty, was nowhere to be seen in that battle, that he was unwilling to challenge his cousins at the federal level to do their part. He was not willing to take a stand for the people of this province, for health care in this province, to do what simply was a reversion back to 1994 levels, even though the federal government has significant surpluses. So we commend our Premier and we continue to look for his leadership in this and many other areas.

In the area of health care I'd like to acknowledge and for the record just state how it affects a particular region. In my own region of York this has meant an extra \$28 million for front-line care on health care. It represents an additional 683 new long-term-care beds,

something so desperately needed that other governments in the past have refused to do, have been unwilling to do. It represents an additional \$20 million in hospital capital funding. It translated into a new cardiac care centre in Newmarket, at York County Hospital. It represents an additional \$5.5 million for the Community Care Access Centre of York Region and providing home care to people in York region.

In June I had the pleasure of attending the opening of a new continuing care centre in Richmond Hill, at the York Central Hospital there. In fact, our government's contribution to health care in York region alone represents an additional \$246 million since 1995. This would not have been possible if it wasn't for sound fiscal management, the kind of stewardship that the people in this province elected us to bring to the province of Ontario. As a member of this government, I stand here today proud of being able to say to the people in my constituency, to the people of Ontario, that we have done what we said we would do: that we would return respect to government through fiscal management, and bring that to the forefront in this province.

In the interests of allowing my colleagues to participate in this debate, I will cut my remarks short but to say that as we deliberate on the bill before us, let us be aware that the bills that we will be paying through this supply bill are being paid in a government that is smaller today than it was in 1995. There are considerably fewer civil servants today than there were in 1995, when we were elected. We have become much more efficient, much more specifically focused on bringing value to the people in this province for their tax dollars. We will continue to move forward with that kind of sound, responsible fiscal management on behalf of the people of Ontario.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on supply and to pick up where the previous speaker talked, and just to chat briefly about the finances of the province.

My business friends are always amazed when I say to them—because many of them are Conservatives and they just assume that because they have the word "conservative," they're managing their finances well—"Do you believe that when Mike Harris became Premier the debt of the province was about \$90 billion and today, according to the budget"—this is the government's own figures—"it's \$114 billion?" In other words, the Premier has added about \$24 billion of debt to the province since he became Premier, about a 25% increase. I realize the government says—and I'll talk about this in a moment—the tax cuts have fuelled the growth in the economy so they've been a great investment. I say: "We've had to borrow every penny for that tax cut. We've borrowed about \$10 billion. Of that \$24 billion, about \$10 billion of it is as a result of the tax cuts."

When Mike Harris became Premier, the federal government had a deficit of about \$42 billion and Quebec had a deficit of about \$6 billion. Both of them had sub-

stantially larger deficits by any measurement than the province of Ontario did. Both of them have balanced their budgets well ahead of Ontario. They haven't gone out and borrowed money for tax cuts. They balanced their budgets and got their fiscal house in order.

The evidence of this is if you look at what are called the credit rating agencies. They are the major credit rating agencies that are paid to evaluate the credit worthiness of governments and of corporations. I remember clearly when the NDP was in the power and Premier Rae was here, Mike Harris, then in opposition, really scoffed at the NDP because of their credit rating. Ontario had had three credit rating downgrades under the NDP and Mike Harris thought that was awful. Now we're into the sixth year of the Harris government and the credit rating is still exactly the same as it was under Bob Rae. The credit rating agencies have not upgraded the credit rating.

That's the first point I want to make, that Mike Harris has added \$24 billion of debt to the province, about a 25% increase.

The second point I want to make, which I think is extremely important, is that what has been driving the Ontario economy—and you can ask any independent economist—has been our exports and our exports to the United States, particularly, I might add, the auto sector. If we don't recognize that and don't understand that that has been the primary motor driving the Ontario economy—it's nothing to do with cuts in personal income tax and everything to do with the ability of our Ontario industries to compete aggressively in the United States.

I might add also that the United States economy has been very buoyant for a considerable period of time. The auto sector has been particularly buoyant, and we have been fortunate to manufacture automobiles and trucks extremely well here in Ontario. But 10 years ago, international exports were the equivalent of about 28% of Ontario's gross domestic product. Today, they are the equivalent of 55% of Ontario's gross domestic product.

I regard that as the second extremely important point for us in the Legislature and for, dare I say, the government in particular to appreciate that while Premier Harris wants to pat himself on the back, my own view is that we would be better spent, rather than him spending the time patting himself, thanking Bill Clinton, thanking the Federal Reserve Board and thanking Mr Greenspan in the US for a strong economy that has driven Ontario's economy. I might add that, in my belief, that is something we have to focus on like a laser because while the US is trying to slow down their economy, in my opinion, one of the first jurisdictions that will feel it will be Ontario.

Auto consumption in the US will be one of the first things to be slowed down through the interest rate increases and that will have a more profound impact on Ontario than Michigan. We now produce more autos than Michigan. You will find, Mr Speaker, when you talk to, as you do, I'm sure, US experts, the US state that has the most fluctuation in its economy is Michigan because of the auto sector. It has more fluctuations because of the

auto business. We now are more reliant on auto than Michigan is.

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The third point I want to make is that—I carry this book around that describes to potential investors in Ontario why they should invest in Ontario. This is a government-produced document, a useful document that outlines, for companies that want to look at where in the world they should invest, why they should invest in Ontario. I want to quote two or three things from it. I found this interesting in light of Walkerton, which is going to be a legacy overhanging all of us. They talk here about: "What does Ontario mean? Ontario means"—this is the literal definition of it—"Beautiful, sparkling, shining water" in the language of aboriginal Iroquois, Mohawk and Huron First Nations, who were among the area's first original inhabitants."

I just make that point. I think we're going to pay a significant price here in Ontario for the Walkerton problem. Incidentally, in my opinion—we will certainly await the outcome of Justice O'Connor's study, but there is considerable evidence that the Ministry of the Environment has been cut back dramatically, that responsibility has been turned over dramatically to municipalities, and my fear is that that has contributed substantially to the Walkerton problem.

Why should companies invest in Ontario? "It is because Ontario has remarkable health care and education systems which are publicly financed and open to everyone." Well, what has the government been doing about that? Tuition fees: up dramatically. This is a publicly funded education system available to everyone, and this document points out here that "Ontario workers are well educated and well trained: 60% of the 1998 workforce have attended university or college, 20% graduated from university, 30% have diplomas and certificates from our world-focused community colleges." But what has the government decided to do about that? Take tuition fees up. And for what? So we could fund the tax cut.

The second thing I would say is that on our health care system, the very first thing Premier Harris did—among the very first things; certainly in the first few months—was to cut hospital funding by 20%. That was, I think, one of the most major mistakes. This was in 1995, shortly after the election. That set in place a series of problems that we still have not recovered from. Today, our emergency rooms are in a significant and critical situation, in my opinion, because of that decision.

One of the key reasons our economy has worked so well is exports, and one of the key reasons is the auto sector investing here. In fact, this document says, "US manufacturers pay, on average, more than \$3,100 per employee for the kind of health care coverage provided by Canada's publicly supported system, whereas Ontario employers pay about \$540 per employee on health care." A huge advantage, one of the key reasons why corporations, the auto sector, want to locate in Ontario is because of the way we fund our health care system.

Now, as you know, the government has chosen, has decided, to cut corporate taxes virtually in half and they have urged the federal government to do essentially the same thing. So I say, all right, if we've decided we will cut corporate taxes—and the government is saying they want corporate taxes dramatically lower, lower than Michigan or New York or Illinois or Indiana, because that will help bring industry here. If the government goes down that track, the question for all of us becomes, how do we fund our health care system? On the one hand the corporations say we have an enormous advantage because we fund our health care system heavily out of public funds, but on the other hand we are being told we have to cut corporate taxes to a level the government is advocating here, a level that is virtually half that of the neighbouring US states. So I say to all of us, if in fact we have to do that to compete with the neighbouring states, how are we going to retain our health care system? How are we going to fund our health care system? There is no answer coming from the government.

The next point I'd like to make is that we are now in a position—I think this fiscal year, the year we're in right now, the surplus in Ontario should be probably \$4 billion. I don't think there'd be much doubt of that. The federal government has a significant surplus, as the Premier pointed out, as do governments right across North America. So now the debate has to be, it seems to us, how should we be investing that? I submit that if the government is saying—and I agree—that universally accessible education is important, that our health care system is important, that the environment is important, surely we have to look at the investments in those.

The next point I'd like to make is that the government produced population projections. This is the Ministry of Finance. It came out in the summertime. This is done after every census, so it's quite an important document. It says here that Ontario's population will continue to grow fairly substantially, which is good news. For example, in Michigan their single biggest inhibitor to economic growth, according to the Michigan politicians, is a lack of available workers. In fact, they're recruiting workers from the southern US. They have an economic office in Michigan whose job used to be to attract industry to Michigan, and they've changed the role of that to attracting workers to Michigan. They are recruiting throughout the United States trying to get workers up to Michigan.

Here in Ontario we have a very different situation. Three quarters of our population growth comes from immigration. This document points out that over the next 10 years, three quarters, 75%, of Ontario's population growth will come through immigration. Coincidentally, there's a substantial article in the newspapers today talking about this very matter. We are not going to have the same issue that Michigan has because we are going to continue to be able to attract workers, heavily from other countries, to come to Ontario. But we'll only do that, in my opinion, if we make Ontario a welcoming place. It's going to be more and more difficult, in my opinion, to attract people to want to come to Canada, because the

economies in the rest of the world are doing quite well, by and large—with several exceptions, obviously, but quite well, by and large.

A disappointment to me is that many of the services that are essential to helping newcomers adapt quickly to Ontario are not being adequately funded. We used to have what's called welcome houses; they're now gone. Funding for settlement services is virtually drying up. We simply don't have the resources in place to make sure that what I think is the unique engine of our economy, and that is a skilled group of people ready to enter the workforce—we're investing virtually nothing in it.

As I conclude my remarks, because many of my colleagues would like to speak as well, these are the points I'd like to make once again. The great fiscal managers have added 25% to the debt of the province of Ontario in a mere five years—\$24 billion. We've had to borrow money for the tax cut. And the credit for the economy, while Mike Harris would like to take credit for it—the government's own numbers show that it has been international exports driving Ontario's economy. So it's time we changed the debate, looked ahead and recognized that the legacy we've had so far is that we've now got \$24 billion more of debt than we had when Mike Harris became Premier.

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Ms Shelley Martel (Nickel Belt): It's a pleasure for me to participate in the supply debate this afternoon. My colleague who is the critic for finance will make some comments about the economic situation, but because supply also entails the provision of government funding for government services, I want to spend the limited time I have to talk about an issue which continues to be a great concern for me, and that is this Conservative government's ongoing discrimination of northern cancer patients.

I listened carefully to the chief government whip as he talked about the surplus in the province of Ontario. I asked myself, why is it that this government, in the face of such a surplus, can't spend \$6 million—because that's all it would be—to end the discrimination it is currently practising against northern cancer patients? Perhaps someone from the government side in the debate this afternoon can explain that to me.

For those who are watching out there, it's worth going back to the history of how we got to this situation.

Very early in the spring of 1999, Cancer Care Ontario, which is the lead agency for cancer for this government, recognized that there were long waiting lists for cancer treatment. If people were going to have treatment in a timely fashion to save their lives, they were going to have to start referring cancer patients to the United States and to northern Ontario to get that treatment. They decided at the same time that because people had to travel far from home, they should not suffer a financial penalty for having to travel away from their home, where they might be able to get cancer treatment, to a centre in the United States or in northern Ontario.

They recommended to the government in April 1999 that the government fund 100% of the cost for southern Ontario cancer patients being referred from Toronto, London and Hamilton to centres in the United States and northern Ontario, that the government fund 100% of their costs to travel there: 100% of their costs by plane, train, bus, car; 100% of the cost of taxi fare if they did take a plane; 100% of the food costs and the accommodations.

CCO justified that in this way; this is a reference to their comments when Cancer Care Ontario was before the public accounts committee earlier this spring, in February. Dr Shumak said, "We see this as an exceptional and temporary circumstance, as these patients would not normally have to travel long distances for their treatment." In the same committee hearing, Dr McGowan, who is also a representative from Cancer Care Ontario, said, "We felt that in the extraordinary circumstance of a re-referral from the cancer centre they should have been treated at to another cancer centre, we should not institute a financial barrier to care."

CCO did the right thing. It must be terribly traumatic to suffer from cancer and know you have to go for treatment. Imagine the additional trauma when you have a financial burden that's associated with travelling for cancer care.

That's what northern Ontario cancer patients face every day. I don't know why we can't get that into the head of the Minister of Health or this Premier or the Minister of Finance, although I think the Minister of Finance is starting to get it. Every single day we have cancer patients in northern Ontario who travel far to get treatment in Sudbury or in Thunder Bay or who have to leave the north altogether and come to Toronto or go to Ottawa to get cancer care. All they get from the government of Ontario is 30 cents per kilometre one way, from their home to the cancer treatment centre—not 100%, but 30 cents per kilometre one way.

When I went before the Cancer Care Ontario board in June, I tried to raise concrete examples with them of people who were affected to show them that on a daily basis northern patients travel farther for care and pay far more than even those patients who are being referred to Buffalo or to Kingston or to Detroit. I want to give you those four cases to make the point and hope the government starts to get the point.

Donna Graham lives in Pickle Lake. Pickle Lake is 525 kilometres one way from Thunder Bay. She made 14 round trips to Thunder Bay for treatment beginning in May 1999. She flew two times. Another time she was driven to Ignace and then had to take the bus to Thunder Bay, which was 235 kilometres one way. She's been driven 11 times to Thunder Bay and back. Her total travel costs associated with getting treatment in Thunder Bay were \$6,077. Do you know what she got back from the Ontario government? Some \$2,271 in total as compensation from this government for her care. She paid \$3,806 out of her own pocket to access cancer care in this province. Do you know that Donna Graham travels farther by car in northern Ontario to get treatment in northern

Ontario than a re-referral patient from southern Ontario who is referred from Toronto, London or Hamilton to Buffalo, Cleveland, Detroit or Kingston?

The second case, Lorraine Newton, lives in Kenora. She can't access cancer care in Thunder Bay. She has a rare eye cancer and she has to be treated in Toronto. She has to drive 207 kilometres to Winnipeg and then fly to Toronto for care. Last year she made four trips to Toronto and she has to go again this month. The best fare she could get was \$287; she usually pays \$400 per trip. She has to pay another \$23 when she comes down here from the airport, she pays \$59 for one night in a hotel used by Princess Margaret Hospital and her food costs are added on to that. She receives from this government \$146.40 in total compensation for each trip, matched against at least a \$400 airfare. It's worth pointing out that Lorraine Newton travels farther by car in northern Ontario just to get to Winnipeg—not even to Toronto, just to get on a plane in Winnipeg—than a cancer patient from southern Ontario who is referred from Toronto to Buffalo, or from London to Buffalo, or from Hamilton to Detroit.

Two more cases, and I hope the government members start to get this. I hope they do because it's so important to people who live in northern Ontario.

Elizabeth Boucher lives in Iroquois Falls. It's a 360-kilometre trip one way from Iroquois Falls to Sudbury. She made nine round trips between December 1999 and March 2000. She spent \$308 for four nights in a hotel in Sudbury when the cancer lodge was closed. She spent another \$450 for meals at the hospital during her seven weeks of treatment. She spent another \$240 for meals because she couldn't stay at the lodge and therefore couldn't access the hospital cafeteria for her food. She received a whopping total of \$109.80 in total compensation for each trip. It wasn't even enough to pay the gas for a trip from Iroquois Falls to Sudbury and back. Elizabeth Boucher travels farther by car in northern Ontario just to access care in Sudbury than a southern Ontario cancer patient who is referred from Toronto to either Buffalo or Kingston, than a patient in London who is referred to either Buffalo or Detroit, or from Hamilton to Buffalo, Detroit or Kingston.

These are northern Ontario patients who have to travel every day for cancer care, and they are being discriminated against by this government because southern Ontario patients who have to travel far for care have 100% of their costs covered. That's discrimination.

One final case, because the government needs to hear about real people whom they are discriminating against.

Glady's Whelan lives in Fort Frances. It's a 336-kilometre trip one way from Fort Frances to Thunder Bay. She made three round trips between November and December 1999. She had to spend \$469 for six nights in a hotel because the lodge in Thunder Bay was full when she went for treatment. She spent another \$360 for meals over the nine days of her treatment. She spent \$180 for gas for three round trips. She had a total cost of \$1,009 and she received \$306.54 in total from this government.

She paid \$702.46 out of her own pocket to access cancer care in the province of Ontario in the year 2000. Don't you think something is wrong with that, anyone over there? Minister of Health, Premier, don't you think there's something wrong with that?

This government has tried to justify its discrimination in two ways. Cancer Care Ontario and this minister have tried to say, "Oh, this is only a temporary funding mechanism. Once the waiting lists are over, we won't be sending southern Ontario patients out of province or to northern Ontario for care and the program will end. It's a temporary matter." Well, you know what? This temporary funding program has already gone on for 18 months. It began in April 1999.

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The second point that has to be made is that the officials of Cancer Care Ontario themselves told our committee in February, and this was in February of the year 2000, that they expected the referrals of patients out of province and to the north to go on another 18 months from that point in time in February. Now we learn that in fact the waiting list for breast cancer are the longest ever in the history of the province—seven months—which means that this temporary program is going to go on and on. There's nothing temporary about the waiting list and there is nothing temporary about this government not funding 100% of the costs for northern cancer patients. Face the reality. There's nothing temporary, and the discrimination should end now.

Do you know what? The government has also tried to say—the minister said it again in this House today—that she would review this inequity. She said that as a result of a question that my leader and I raised in this House on May 8, when we had Anna Watson from Fort Frances in the gallery. Anna Watson had to pay thousands of dollars out of her pocket to access cancer care in Thunder Bay last year. She had to make at least 15 trips between Fort Frances and Thunder Bay and back and had food costs and accommodation costs and taxi costs and gas costs and you name it. She's out thousands of dollars.

We raised that case in this House that day. The Minister of Health said that she would review this inequity. Here we are four months later and this government has yet to produce the report that this minister promised would be done on this inequity. Four months. I suspect the reason the government doesn't want to produce this report, which we understand is complete, is because it will clearly show that this government from the beginning, from April 1999, has been discriminating against northern cancer patients.

Two weeks ago I filed a freedom of information request to the Minister of Health because I believe this report is done. I want it made public because I believe it clearly shows that the discrimination exists. Perhaps then, 18 long months later, the government will finally do something to end the discrimination.

The government has a lot to answer for with respect to this discrimination. I've outlined the cases of real people who have been dramatically affected financially by this

government's discrimination. But the government has a lot to answer for outside of its ongoing discrimination of northern cancer patients. This government is directly responsible for the waiting list we have today that has led to the problem of having southern Ontario patients be referred, that has led to the problem of 100% of their costs being covered while northerners only have a small portion of their costs covered.

I listened to the Minister of Health in this House on Monday say, "I am also pleased to tell you that when it comes to radiation therapy, we never closed any program down; in fact, we have expanded the number of spaces from 50 to 75." I thought I'd fall off the chair because it was exactly contradicting comments that were made by her deputy minister and by Dr Les Levine, who is this government's main agent on cancer in the province—exactly contrary. I asked at that public accounts meeting in February the following:

"Ms Martel: I understand that in 1997 a decision was made to not offer any radiation therapy training anywhere in the province. Is that correct?

"Dr Levine: That is correct.

"Ms Martel: I ask again: As I understand it, the government made a decision in 1997 not to offer radiation therapy training anywhere.

"Dr Levine: The response to your question is yes. A decision was made, and it was made on the basis of a joint decision between the OCTRF, the profession, the radiation therapists, the regional cancer centres and the Ministry of Health."

As a result of that decision made by this government, 66 radiation therapists who would have graduated this year, and who would have been able to staff up our cancer treatment centres, aren't graduating because this government made a decision in 1997 not to offer training to the very radiation therapists who provide care, whom we need now as a result of not having and who are now being forced to send patients elsewhere.

In conclusion I want to say the following: The government can't justify its inequity in terms of funding for northern cancer patients. Every day—every single day—patients in northern Ontario have to travel very far from home to be treated in Thunder Bay or in Sudbury or in Ottawa or in Toronto. You know what? They're not second-class citizens. They deserve to have 100% of their costs covered now. In the face of a government surplus, spend the lousy \$6 million that it would cost to fix this and do it now.

Mr David Young (Willowdale): I'm pleased to support the motion on the floor for interim supply. It's clearly a motion that's of some considerable import to this government, to any government. It's a motion that, if passed, will allow our government to continue to operate, to continue to send money to municipalities, to continue to send money to hospitals, to continue to pay for social assistance for those in need and to appropriate the payment of salaries to the dedicated members of the public service.

It also affords an opportunity for us on this side of the floor and for those opposite to stand and take note of where we are, where we've been and where we are going. I will take this opportunity to do that as well over the next short while. Because it is in fact quite a remarkable and fascinating five years over which we have had the privilege to be in government.

Speakers before me, in particular the chief government whip, rose to talk about how far we've come over that period of time. I want to repeat some of the things he's said and go a little further. It's worthy of repetition to say that five years ago, when our government took office, our province was faced with a level of pessimism that frankly had never been seen in the lifetime of most of us here. Hope for the future was consumed by pessimism and unemployment was a chronic problem. We'll come back and talk about that on a number of occasions over the next short while.

Unemployment was high, welfare rolls were bursting—at unprecedented levels—and deficits and debt were crushing the economy of this province. They were crushing the ability of the government of this province to deliver quality services to the people of this province. That's the key, to pick up where my friends left off, and that's the philosophical difference between those opposite and those on this side: we sincerely believe that the economy must be a healthy economy in order to sustain the social services that we as a province, that we as individuals within this province, depend on.

Ontario was essentially the first province to slip into a recession. Sadly, it was essentially the last province to come out of that recession. Unlike previous recessions, very few people could see light at the end of the tunnel five years ago. You will recall, undoubtedly, discussions along the lines of bankruptcy being contemplated. After our election in 1995, the challenge was in fact a great one. Indeed, it was daunting, so much so that there were a chorus of critics out there—some journalists, some economists and many members of the opposition; I dare say every member of the opposition at that time, in 1995—who said clearly that we wouldn't be able to do what we said we were going to do, that we wouldn't be able to stimulate this economy once again through tax cuts, that we wouldn't be able to create in excess of 700,000 net new jobs for this province over a five-year period, that we wouldn't be able to balance the budget, that we wouldn't be able to reverse the trend, this juggernaut that saw us looking at an \$11-billion deficit in the year we took office. That's the legacy that we were left; that's the climate that was there at the time. I guess in retrospect it's understandable why many of those pundits were pessimistic.

But as we look back, I'm proud to say that we have done what we said we would do. Certainly one of the mileposts, and there are many to look upon, was when Minister Eves delivered the first back-to-back balanced budgets in this Legislature last May. That's certainly the first time that has happened in my lifetime; the first time it's happened in 50 years.

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As I said before, that's essential for the health of this economy, that's essential for the health of the citizens of this province, because with that sound fiscal management we are in a position to continue to make record investments in health care, in education and, thanks to the courage of our Premier, we are also, for the first time in a very long time, in a position to have some additional support from Ottawa. Since 1994 we have seen clawback after clawback from our federal partners. We have seen billions of dollars taken from this province and taken from other provinces, dollars that were intended for and would have otherwise been spent to provide health care for the people of this province. But thanks to the courage of our Premier, we are now in a position where we know at least for the next two years that there will be a renewed, albeit scaled down, federal commitment to the health of the people of this province.

I want to take a moment and talk a little bit about where we are fiscally and provide a bit of an update, because it's important to acknowledge just how far we've come and it's important to acknowledge the fact that our economy is so very healthy at this time. I will ask you to consider my comments, as well as the comments I made a moment ago, about where we have come from, just how great the deficit was—the human deficit and the fiscal deficit—five short years ago.

Our economy, as I indicated, continues to be very healthy. Consumer spending, business investment and exports are all contributing to the growth of this province. The most recent confidence among the people of this province. An example of that is that household spending remained buoyant through the summer. In July we saw, as one example, department store sales were up by 1.6% as compared to sales in the preceding year. Over the first half of 2000, retail sales were up 8.2% over the same period in the preceding year. The private sector consensus for Ontario real GDP, that growth, as measured by the private sector, is about 4.9%. That's an increase from 4.7%, which was what the forecasters in the private sector had suggested it would be just last May when the budget came out. For the first quarter of this year, real GDP grew by 1.2%, a substantial number, a very significant number.

What I've tried to emphasize, and I'm sure you will appreciate, is that the growth is growth throughout the economy. It's a very healthy and balanced growth. I want to pause to note there are many challenges left, and certainly the price of oil and gasoline is one that cannot be considered too lightly. That's why it's important for us to do our utmost to ensure that this province is in the best possible financial condition that it can be in as we go forward.

My friends opposite, as I indicated earlier, were certainly some of the most vocal critics, naysayers, when it came to our plan, the Common Sense Revolution, followed by the Blueprint, which we took to the people of Ontario in 1995 and 1999 respectively. My friends

opposite, the members of the opposition parties, were quite outspoken. They said very clearly, publicly, that it couldn't work.

I'm going to quote now from a Treasury Watch. This was a document that the Liberals were good enough to put out with some regularity. I think Mr Phillips signed his name to it. Yes, indeed, Gerry Phillips signed his name to it. This is a document that was put out with some regularity by the Liberals, and it provided an overview from their perspective of where we were as a province economically, fiscally, and it went on to prognosticate in many instances about where we would go, given the leadership and the initiatives offered by our Premier, Mr Harris.

It's unfortunate I don't have a great deal of time this afternoon, because I could spend a good deal of time talking about the forecasting—almost like the weatherman—as to whether our plan would work. An example was whether or not we'd be able to achieve 725,000 net new jobs, have 725,000 more people working in this province over five years, 725,000 people who could go home and utter those magic words, "I've got the job."

Here's what the Liberals had to say in July 1996—of course, remember we'd been in office for in excess of a year at that point in time; our policies were well known—"Ontario now has a case of chronic high unemployment." Here's the best part, Mr Speaker. I know you'll appreciate the significance of this, albeit in retrospect. "There is no end in sight for the problem." For unemployment they saw no end in sight. They go on to say in the same bulletin, "Ontario will maintain an unemployment rate close to 9%." It seems to me they would have, by that point in time, realized the error of their ways; apparently not.

March 27, 1997, almost a full year later, we had been in office for almost two full years at that point in time. Our policies were very well known, not only to the members of this assembly but to the people of Ontario. This is what the Liberals had to say about where we were at and where we were likely to go. Again, I'll just focus for the time being on jobs, because I talked about our commitment to create 725,000 net new jobs. We've done that. We've exceeded that. We know that now, but they've offered all sorts of opinions today, and I think it's important to consider their opinion while considering just how effective and accurate their prognostications have been in the past.

Here's what they said on March 27, 1997: "The Harris government will continue to ignore the very serious unemployment problem in Ontario." They still thought unemployment was going to be an ongoing and chronic problem and they still thought our policies weren't going to address that. I'm sure they are pleased that prognostication was wrong. I don't anticipate we will see that explicitly in any written document, but in preparation for today's session, I did go and check the most recent economic document that emanated from the members opposite in the Liberal Party to find out if they had

acknowledged in some fashion the great success we've experienced in this province.

Here's what I found, and Mr Phillips's name isn't on this particular document. They've changed it. I see Mr McGuinty's picture at the top of it. It's a document that was put out this year by the Liberal Party of Ontario. Remember their earlier documents from which I quoted talked at some length about chronic high unemployment; essentially, when are we going to get the people of this province back to work? That's what they wanted to know. In fact, I think they shouted it with some regularity in this Legislature, "Where are the jobs? Where are the jobs you promised?"

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): That's right, they did.

Mr Young: I remember that.

Hon Mrs Johns: That's right.

Mr Young: We now know the jobs have been delivered. A promise made, a promise kept by this government.

But let's take a moment and examine what it is they're concerned about today. Enough about the past, let's talk about today. Here's what they say, "Ontario is entering a period where significant labour shortages could inhibit economic growth." But wait a second. It looks like a flip-flop to me. It looks like we've gone from the point where they were very concerned about unemployment to the point where they say, "You don't have enough people to work; too many jobs."

Mr Speaker, I'd encourage you, as you listen to the comments made by the members opposite, to consider what they have said in the past, the precedent, their track record. Mr Phillips, earlier this day, made some interesting points about a couple of issues that are of great import to me, and I will say that I share with him the desire to see Ontario's credit rating improved. I will tell you that it's because of that job yet to be done, that job yet to be completed that the revolution continues, to speak euphemistically. But before the member from Don Valley East chokes, let me share with him what occurred on August 14, 2000. You may wish to listen to this because this is yet—

Interjection.

1710

Mr Young: That's exactly what I'm about to address. Thank you very much.

On August 14, 2000, Standard and Poor's—and I'm not sure if you're familiar with the organization or not; they're probably not—placed Ontario's AA rating on positive outlook. That's a significant revision from where it was before.

I want to emphasize—and I hope the members opposite will consider this fact; I don't anticipate they will actually acknowledge the significance of it publicly, but I hope they will at least reflect on it as they leave the chamber today—that that's the first positive rating development for this province from that organization, Standard and Poor's, in 12 years. Now 12 years takes us

back well beyond the five years that we've governed this province and, to my friends in the third party, well beyond the time the NDP governed. It's the first positive step. But do we have a greater distance to travel? Absolutely. That's why we are going to continue to do what we've been doing. That's stimulating this province, that's cutting taxes, that's creating jobs and that's ensuring that the revenues continue to climb the way they should.

I heard the members opposite also talk about debt reduction. I want to stop and I want to pause and I want to tell them that if that is the tack they are going to take now, if that is going to be one of the emphases of their platform in the future, that's marvellous. But it's also new. We should all question why the Ontario Liberal Party's commitment to debt reduction plans somehow seemed to be abandoned when they prepared a formal written submission to the standing committee on finances. When they had their best chance to make a pre-budget submission in this year, the year 2000, they had the ear of the Deputy Premier, when they had the opportunity to try to influence the government to reduce the debt, the silence was deafening.

As one reviews—and I would encourage you to do so; perhaps not today, but perhaps tomorrow or when you have a spare moment on the weekend. I encourage you to take a few seconds and review the document that the Ontario Liberal Party submitted as part of that process. The standing committee on finance and economic affairs asked for and received from the Liberals their suggestions as to what should happen.

They made absolutely no mention, none whatsoever, of debt reduction in that document. I think that's shameful. I think it's particularly puzzling and yet another flip-flop to hear the members opposite today talking about how we must reduce our debt and, "Why isn't this government doing more?"

Let's talk about what we are doing by way of debt reduction. We campaigned in June of last year and we said that we were going to reduce the debt by \$2 billion. A mere 11 months later, Minister Eves stood in this chamber, as he brought forward what many described as an election budget, albeit 11 month post election, and said very clearly that we were going to more than double that commitment. That was an undertaking that he was in a position to make 11 months after the election.

So we do agree that debt reduction must take place. We do agree that it must be expedited however and whenever possible. I know my friends opposite don't want to do it at the cost of stripping down the social safety net, the social structures within this province. I know they want to do it, as do we—or should want to do it, as we do—by building this economy, by having more revenue, by having more tax dollars. More people working, more people paying taxes—that's what has happened. As a result, there are more dollars coming into the public coffers than ever before.

That has left us in a position where we can spend more money on health care, an unprecedented number,

\$22 billion in this year alone, and again achieving the commitment that we made in the election campaign well in advance of the point in time that we said we would do so. But the need was there and fortunately the ability was there by reason of the fact that we had made those tough but difficult decisions. We'd reversed the trend in this province that I talked about at the outset of my comments, a trend that was peppered with pessimism and essentially no hope. So I'm very proud of how far we've come.

Before I sit down, I want to comment briefly upon one other subject that I'm also very proud of, because as historians look back upon this session, they're going to look upon the fact that, as a result of some initiatives emanating from this government, not only are more people working, but many of those people working are off welfare. Many of those people working are individuals who thought they would never have the dignity of a job, who thought they were trapped in a cycle of dependency that would never end. So I'm proud to say that as a result of these initiatives, including workfare, as it is commonly known, there are more than half a million people who no longer are relying upon the welfare system of this province. I am very proud of that, as I know the Premier is. Those individuals are in a position to add dignity to their lives and they will be coming forward, as they have in the past, to acknowledge the fact that their lives are back on track.

In closing, Mr Speaker, this province is back on track. That's why we must continue and that's why, just as the Premier said the day before last in this Legislature, the revolution must continue. We have started down the right road, but there is a great deal more to do. It's because we have the wherewithal, it's because we have the additional dollars, that we can do just that.

With that in mind, I will let you know what is probably obvious at this juncture, and that is that I will be voting in favour of the motion tabled by the chief government whip. I would ask all members of this Legislature to put aside their partisan politics for a brief moment to acknowledge the great distance that we've travelled and to join us this day in providing a resounding affirmation of our policies in voting for this piece of legislation.

Mr David Caplan (Don Valley East): I rise to join the debate on interim supply. It's always a pleasure to speak on behalf of the residents of Don Valley East.

I must say to the previous speaker, I think the caddy for the Minister of Finance, that Ontario's credit rating—and he has the numbers—was AAA in 1990 when the Liberals left office. AA is a positive development for him and for this government? Well, I say to my friends, take comfort in that. I know the people of Ontario don't, and I know that when Mike Harris sat right over here, every time Ontario's credit rating was downgraded by Standard And Poor's, by Dominion Security, by all of the other credit reporting agencies, he was swinging from these chandeliers. So AA might be good enough for that crew

over there; I can tell you that under a Liberal government that was not the case.

I also find an inherent inconsistency when I hear members of the government whine about how the federal government cut money and they've only given some back. I can tell you that municipalities, universities, school boards and hospitals have felt substantial, even greater cuts to their operating funds from the Harris government, yet none of that money has been put back. It is inherently inconsistent for members like the member from Willowdale or others or the Premier to stand up in their place day after day and whine about it and not act on the other side.

I spend a great deal of time in my riding talking to groups and individuals, and there is an enormous impact from the actions of the government as it relates to their spending priorities and what they've done. I'd like to focus attention of this House on the impact of the education funding formula, and in particular what that's done to community groups in Don Valley East.

I did a survey about two months ago on the new permit fees that are being charged by the Toronto District School Board as a result of the funding cuts—continuing cuts that are going on, I might add, and will last for another two years here in the city of Toronto—as it relates to the schools. It's not surprising at all that the response that they gave, the community groups and voluntary organizations that make community life such an important thing, indicated severe concern.

You know, Mike Harris used to say that user fees were just another tax increase, and I think one of my colleagues has calculated that we've had over 900 user fee or Mike Harris tax increases. There was concern that these user fees would negatively impact on the groups and their ability to survive. They're concerned that the provincial government has no regard for the important role that schools play in our local community.

1720

I have some direct quotes and some exact feedback from the responses that I have. Michael Dosman who's the president of the Victoria Village Community Association was very clear. His group used the staff room and the gym at the Victoria Village public school for monthly community action planning meetings and quarterly public meetings with the community. In fact, Victoria Village Ratepayers Association also sponsored a debate during the provincial election campaign.

He confirms that for his group there will be an increase in costs. If they are not able to fundraise enough to break even, "We will have no choice but to fold our 30-plus-year community association." This association has given voluntary service to Victoria Village for 30 years. Because of the direct actions of the Minister of Education, of the Premier, of this government, they may face the prospect of folding.

I also heard from Warren Ko, the president of the parents' association of the North York Mandarin school. On a weekly basis, they rent classrooms, the cafeteria, gymnasiums and, for special events, the auditorium and

schools in the summer for day camps for Mandarin language students. He said there's been a steady increase in rental fees over the past three years—no surprise to you of course, Speaker; that's when we saw the odious Bill 160 which changed education funding in this province—which has had an impact on programming. There has been an enormous financial burden to his organization.

Programs have been reduced. "This coming September"—this very month—"we cancelled two more classes." They're worried that the new policy will soon force them to close all of their programming. I can tell you—I've been to the Mandarin school on many occasions—it is an enormous program; it is huge. There are children who come from far and wide, from all over North York. In fact, they come from Scarborough, they come from Richmond Hill, they come from Thornhill, just to be able to get that kind of community programming, oftentimes run by volunteers.

How about the concerns of Helen Trainor, president of the Toronto Interchurch Badminton League. Her group has rented gyms on a weekly basis at Don Mills Collegiate and at York Mills Collegiate. They also rent gyms at other high schools for tournaments. Their group has already taken a decision that they will have to decrease the hours of programming. There's a strong risk the club will dissolve because the membership fees will have to be significantly increased to cover the new rental costs. According to Mrs Trainor, this could mean, "No more badminton in the schools for adults and a community activity will be lost."

I recently attended an emergency meeting of the Pleasant View Community Recreation Committee. This group has served Don Valley East, my community, for over 27 years. They have been renting school facilities for community recreation and general interest courses. Hundreds, literally hundreds—in fact, I was at their registration night last week; you would not believe the numbers—of children and families come. Hard-working Ontario families come there for recreation activities. It's really a very special part of community life.

Esther Cutler, the chair of the group—along with her fantastic group of volunteers—feels that some of their courses are going to have to be cancelled, that there will be lower enrolment and that it will be harder to enrol more than one child in a family. The impact of the earlier closing of one of the schools has meant that the programs there have already had to have been moved. This group feels that this is "the beginning of the end of our committee."

What's very interesting about all of this is, this isn't the end. This is going to go on for another two years as the Harris government is determined to further cut funding to the Toronto District School Board and does not recognize these kinds of community uses of school activities as legitimate costs to be found in their funding formula. This is incredibly dangerous.

I have one further example. I really want to highlight this to you: the Arya soccer team. Last year they paid

\$280 for their permit. Because of the funding formula restrictions, directly because of what this government has done, this year their costs are going to be \$6,246. The team has nowhere else to play. They need a double gym. Parks and Recreation facilities in the area are well oversubscribed and they can't move in there.

You can see that the funding priority for the Harris government is tax cuts for the wealthy. But community groups, volunteers and Parks and Recreation groups must continue to pay and pay and pay and lose access to valuable community resources. I can tell you, without reservation, that I will not be supporting this motion on interim supply.

Mr John Gerretsen (Kingston and the Islands): I too would like to join this debate on interim supply, to talk about an issue affecting not only my riding but that I know is affecting everybody's riding here. I even heard the member from Northumberland question the minister about this yesterday or the day before. That is the whole question of doctor shortages.

You know, it's unbelievable to me, in a country and a province that has as much to offer as we have here in Ontario, that is regarded as one of the leading countries in the world, from the United Nations' viewpoint, that we have many, many individuals and families in the province who do not have the availability of a family doctor for themselves. Depending upon whose figures you use—I believe according to the ministry there's a shortage of somewhere between 400 to 500 in the province. According to some other agencies, it may be as many as 1,000 doctors that we're lacking in this province right now.

The point is that there are many individuals who cannot get a family doctor. It is high time that this government got all the various people together, and I have asked the minister about this in the House, I've spoken about it earlier, but it is up to the Minister of Health, who ultimately has the responsibility for the total health care of the people in this province, to get all the players together—by "all the players," I am talking about the medical schools, the Ontario Medical Association, the College of Physicians and Surgeons and all the other subcomponents to that—to deal with this problem.

The minister has stated in this House and has made announcements that in effect 12 new additional physicians have been added to the residency positions that are available in hospitals. She's increased it from 24 to 36.

Another major announcement that was made is that there were 25 positions added to the university system in the medical schools, meaning five for each one of the medical schools in Ontario, for new admissions this year. They think this is really doing something about the problem. First of all, the students who are going in right now will not be graduating for another seven or eight years, but even if they were to graduate immediately, we're talking about 37 to 40 positions at most that have been created, when there's a shortage of 500 to 1,000.

Yet we have the resources available in this province immediately, if we only knew how to take advantage of them. I'm talking about the foreign-trained doctors. My local newspaper in the Kingston area, the Kingston Whig-Standard, did a major exposé on this in August and a number of different stories on it. One headline reads, "Doctor Must Mop Floors for a Living" and that's only one example; that was talking about Dr Rowani, whose case I've mentioned in this House before. Here we have an individual who was a fully licensed and trained doctor in Pakistan who has come over here, who has taken all the necessary medical exams; but now, to do the final exam, he has to wait a full year plus pay a fee of \$2,000 in order to qualify and to write his final exams.

My point is quite simply this: if there is a shortage, and we've got these people in our country that other societies have paid for in training them to be physicians, why aren't we taking advantage of that? Let me make it absolutely clear, we want to make sure that these people are competent and qualified according to our standards, but shouldn't we speed up the process? I don't know how many of these people are around here, but in editorial it's stated that over 200 foreign-trained doctors apply every year for these residency positions. Two hundred apply each and every year. Why are we only admitting 36 of them? If they have the qualifications, admit as many as possible so we can deal with the situation right now.

It is beyond me. I know it has a lot to do with turf protection at all levels, whether we're talking about the Ontario Medical Association, whether we're talking about the college, whether we're talking about the ministry, whether we're talking about the medical schools. I know all about turf protection, and I'm sure a lot of that has to do with this. In the meantime, the people of Ontario who need the services of the family doctors are denied that service. That, to my way of thinking, is absolutely and totally inexcusable.

1730

I would urge this government, not in a partisan sort of way like I heard the member from Willowdale talk about earlier, to get on with the job. That's why you're in government. You are in government to deal with these problems, to get all the various parties together and try to get people qualified as quickly as possible to our standards so that the people of Ontario can benefit from their services. That isn't happening right now. So I would ask the member from Willowdale and all the other Conservative members who are in the House right now to get after the Minister of Health. The member from Northumberland has got this problem too. He talked about it in the House the other day. He asked the minister a question as to what's being done. The kind of answers that have been given aren't satisfactory.

I simply ask all the government members, together with the members of the opposition, to work together to try to resolve this problem as quickly as possible so that more people can have the use of the family doctors here in the province of Ontario.

Mr David Christopherson (Hamilton West): The first thing I'd like to do is just respond a bit to some of the comments of the chief government whip, who spoke at the outset of the debate today. He accused the opposition and other critics of the government of saying that you can't cut taxes massively and balance the budget at the same time. I'm paraphrasing, but I think that's pretty accurate, and I see the member nodding his head.

You got it close, but not quite. The reality is, you can cut taxes and balance the budget quite easily if you're prepared to hack away at spending. That's not hard to do. In fact, you could create almost a zero budget by simply eliminating every public service there is if the only thing that mattered was the bottom line and tax cuts.

What we criticized you for was not the notion of cutting taxes per se nor the notion of balancing budgets per se. In fact, the first province in the modern economic era to do that was Saskatchewan under an NDP government. What we take exception to is the price that it costs the public in Ontario in order to achieve this in the way you did. That's what you can't do. And we were right. You cannot cut spending from health care, education and environmental protection without people paying a price, a price that the vast majority aren't willing to pay. That clarifies one.

Two: at the very end, you were so proud of the fact that you'd cut civil servants, that there are fewer civil servants around than there were before. I'll say to the member, go to Walkerton and ask those people how they feel about the fact that there are over 40% fewer civil servants in the Ministry of the Environment. Ask them how they feel about that bragging right that you want to claim around here today.

Hon Mr Klees: On a point of order, Mr Speaker: The member knows that has absolutely nothing to do—

The Acting Speaker: That's not a point of order. The member for Hamilton West.

Mr Christopherson: We shall see, won't we? We shall see. Because no matter how much you want to try declaring that day is night and black is white, as your ministers do when they stand up and answer questions around here, the reality is that we do have a public inquiry, no thanks to this government but thanks to the pressure that the opposition put on this government to call that inquiry. Then we'll see.

But I've got to tell you, I don't think it takes a political scientist to determine that you cannot hack that many people out of a crucial ministry like the environment and cut out over 40% of the budget and not think that you're going to have a negative impact somewhere. You'd have to be crazy or a member of the Tory caucus to believe there's not a relationship between those two.

Hon Mr Klees: That's not parliamentary.

Mr Christopherson: I'll tell you what's unparliamentary—it's six dead Ontarians.

Hon Mr Klees: Come on.

Mr Christopherson: I want to say to you that if you don't like that, then you ought to think twice about standing up and bragging about all the tax cuts you've

made and how there are fewer civil servants around as a generic statement, because all of those things mean people and they mean services.

It's interesting to keep in mind that in the last budget, the budget that the motion today will draw from, and the reason that we're having this debate, the government managed to find \$5.2 billion in tax cuts. They'll say, "That's wonderful, that's great. Look at that, \$5 billion; it should have been more, perhaps." What they don't clarify is that almost \$4 billion of that \$5.2 billion went to corporate Ontario. They had their corporate tax rates cut by up to 50%. Did the average working family in Ontario see their tax burden alleviated by 50%? No. In fact, if you use your figures, someone who earns \$330,000 in Ontario—and for the vast majority of people watching that might as well be \$500 billion, because it's so far out of reach from what they know, but there are people who make that kind of money—they're going to get \$10,000. I wonder which party they're going to vote for? But somebody who makes 30 grand a year—and now we're starting to get into the real numbers, the mass if you will, the real population of the province—they're lucky to get 100 bucks.

Your \$200 rebate, that bogus sham of a \$1-billion expenditure where you're trying to bribe the people of Ontario with their own money—25% of the population doesn't pay income tax; they don't get any of it. But they are the ones who will suffer the most because health care has been cut, because education has been cut. They have the least means to offset those public services with private services, because they don't have the money. They don't get the 200 bucks. It is so obscene. A million people won't get any part of your \$200 bribe. That says a lot about the priorities of this government.

We don't have a lot of time here. In that budget, while they're giving away almost \$4 billion to corporate Ontario and their wealthy friends, in that same budget in April of last year, on the brink of the Walkerton disaster, what was in that budget? They cut the Ministry of Natural Resources by 17.9%, almost 18% cut from the Ministry of Natural Resources. And what about the Ministry of the Environment? In the last budget, which had \$4 billion in tax gifts to their corporate friends, they cut the Ministry of the Environment by a further 9% and, in a matter of days after that the Walkerton disaster broke open. You cannot justify in any way, shape or form cutting money from the environment and cutting money from the Ministry of Natural Resources and giving, on the other hand, almost \$4 billion to corporate Ontario.

What about health care? The government likes to talk a big story about health care. What did they do in this budget, the same budget that gave away \$4 billion to corporate Ontario? What did they have for health? Well, if you combine the capital and the operating budgets, it went up by 0.0000002%, a miserly \$49 million. That's all you had in that budget, with billions of dollars in surplus, billions to give away, a 50% cut in corporate tax rates, and you had \$49 million to give to health.

1740

That's certainly not going to make any difference for the almost \$2 billion in deficits that our hospitals in Ontario are incurring. That's not going to do much about the emergency wards here in Toronto last week where for a number of days every one of them was on redirect. In the last couple of days, every hospital in my hometown of Hamilton was on redirect. What good is \$4 billion being given away to corporate Ontario going to do for Hamiltonians who need emergency services in their hospitals? What good is that going to do them? And what good is 200 bucks going to do them? Are they all going to get together as a neighbourhood and open up their own hospital? What are you going to do with that 200 bucks?

Now, if we want to talk about what we could have done with the billion dollars that would benefit everybody, a billion dollars would make a difference in terms of nurses, in terms of health care. We've got VON home care workers on strike in Hamilton, and you know what? For one of the few times I can think of—and I've been in public life for a long time now—it's not their immediate employer they say is the problem and it's not the CCAC that funds them that is the problem; the problem is you guys. You won't give enough money to the CCACs so they can provide money to the service agencies that go into the homes of our families and our constituents and provide necessary care.

Oh, you made an announcement a couple of days before the by-election. The problem is, when the money was all sorted out, Hamilton got about \$3.3 million; except that the deficit of the Hamilton CCAC is \$6.7 million. I'll bet those VON workers and I'll bet Lois Boggs, who's the president of their local, wish they could call themselves corporate Ontario so they could get a little piece of that four billion bucks. But that's not available. That's not there for them because they're just working people. What do you care about working people? For all your talk, when you go into our communities, into our streets and into the homes of people in Ontario, you find out they're not benefiting from any of this.

We have thousands of people in Hamilton and Toronto—SPRINT home care workers are on strike also, the same situation—who are worried about where they're going to get the services they need. But I am so proud of my fellow Hamiltonians because they're not blaming the VON workers, much as you might hope that would be the case. They recognize that these are people who are doing a phenomenal job and they're doing it at less rate of pay—sometimes as much as \$10 or \$12 an hour—than their counterparts make in hospitals. And we don't have enough nurses even if we were able to pay them properly.

All those are your policies at play. I don't hear any of you bragging about how good you feel that VON workers have to go on strike just to get a decent wage or to get justice, or the fact that there are thousands and thousands of people in Hamilton and every other community who are in dire need of home care, and there's not enough money to give to the agencies, and there's not enough

nurses to be hired to send them into the homes to provide the care. Let's face it: home care workers and nurses are performing work that most Ontarians don't want to do. It's very, very difficult work. It's got to be heartbreaking at times and gut wrenching, some of the scenarios that they face.

But you just want to stand up and brag about how you've cut taxes. What good is seeing corporate Ontario get \$4 billion to somebody who doesn't have a home care worker coming in to take care of them and provide them with the medical necessities they're entitled to? What good does it do them to see that? Yet that's what you want to brag about. You never want to talk about the implications of your policies on real people, real communities.

Education: you've cut education since 1995, in real per capita terms, if you adjust for inflation, by \$810 per student. You've raised tuitions by 60% since you've been in power and you've cut \$1.6 billion from the operating budgets of our universities, placing us last in Canada. This is something that you purport to stand up and be proud of? Shame on you. Shame on every one of you. These are real issues that are happening to your people, yet you just blindly stand behind the ministers of the day and bow away and say, "Yes, it's a wonderful budget," and "Hey, corporate Ontario, don't forget me. I'm only in the backbench but I helped too. I voted for it." What I'd like to see you do is start standing up and talking about the people you represent rather than the corporations you represent.

The Acting Speaker (Mr Tony Martin): Mr Klees has moved government motion number 60. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1747 to 1757.

The Acting Speaker: Members will please take their seats.

We are voting on government notice of motion number 60, supply. All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Harris, Michael D.	Palladini, Al
Baird, John R.	Hastings, John	Runciman, Robert W.
Barrett, Toby	Hodgson, Chris	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tasca, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Tsubouchi, David H.
Elliott, Brenda	Mazzilli, Frank	Turnbull, David
Flaherty, Jim	Molinari, Tina R.	Wetlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie	Ouellette, Jerry J.	

The Acting Speaker: All those opposed will rise one at a time and be recognized by the Clerk.

Conway, Sean G.
Curling, Alvin

Levac, David
Marchese, Rosario

Smitheman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 50; the nays are 26.

Nays

Bartolucci, Rick	.Di Cocco, Caroline	Martel, Shelley
Bountrogianni, Marie	Dombrowsky, Leona	McLeod, Lyn
Boyer, Claudette	Duncan, Dwight	Patten, Richard
Bradley, James J.	Gerretsen, John	Peters, Steve
Bryant, Michael	Gravelle, Michael	Phillips, Gerry
Caplan, David	Kennedy, Gerard	Pupatello, Sandra
Christopherson, David	Kormos, Peter	Ruprecht, Tony

The Acting Speaker: I declare the motion carried.

This House stands adjourned until tomorrow morning, Thursday, September 28, at 10 o'clock in the morning.

The House adjourned at 1800.

ERRATA

No.	Page	Column	Line	Should read:
78	4154	1	26	receipt of \$815,515 for that gift. The McMichaels were
78	4154	2	39	Judge Carthy stated in paragraph 97:

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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		Windsor-St Clair	Duncan, Dwight (L)
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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Frances Lankin, Bill Murdoch
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of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 28 September 2000

Jeudi 28 septembre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 September 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 28 septembre 2000

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

SAFE DRINKING WATER ACT, 2000

LOI DE 2000 SUR L'EAU POTABLE SAINTE

Ms Churley moved second reading of the following bill:

Bill 96, An Act to restore public confidence in the quality of drinking water in Ontario / Projet de loi 96, Loi visant à rétablir la confiance publique dans la qualité de l'eau potable en Ontario.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes.

Ms Marilyn Churley (Toronto-Danforth): This is perhaps the most important bill, or one of the most important bills, that we will be debating in this Legislature this session.

After what happened in Walkerton and the deaths of up to six people and the illness of up to 2,000, it's becoming increasingly obvious that this province needs a comprehensive Safe Drinking Water Act. This is something I had been working on before the outbreak in Walkerton, and obviously it is all the more timely now.

It goes without saying that the people of Ontario have the right to clean and safe drinking water. Clean, safe drinking water is a basic human entitlement and is essential for the protection of public health.

To ensure that the people of Ontario have safe drinking water, drinking water standards should be reviewed and revised frequently, information about drinking water quality should be freely available, drinking water issues should be dealt with by the provincial and municipal levels of government working in partnership and the process for making decisions about drinking water issues should be transparent and accountable.

In the few minutes I have, I want to run through the most important components of this bill before us today, for the public who may be watching this but as well for members who may not have had the opportunity, shall I kindly say, to actually read the bill.

Water testing: water shall be tested by a water testing lab that is accredited. Results of all tests must be reported to the Ministry of the Environment. There must be immediate notification of water users, the medical officer of health and the MOE where a test reveals that a con-

taminant or substance exceeds the maximum permitted level, a test is delayed or cannot be performed for any reason or equipment for testing or purifying water is malfunctioning. Those are some aspects of that.

Water testing labs: only water testing labs that are accredited by the ministry can test water. Water suppliers must advise the MOE of the name of the lab that is conducting water tests and when a different lab is used, and there are strict requirements for reporting water test results to the MOE and the medical officer of health.

Community right-to-know provisions are a very important aspect: immediate notification of water users where a test reveals contamination or a substance that exceeds the prescribed standards, a required test is delayed or cannot be conducted or if water equipment malfunctions; open access to the public of water test results regularly; summaries of tests results provided to water users with their water bills; creation by the ministry of an electronic water quality registry that would be available to any person without charge and would include test results on a community-by-community basis, copies of all certificates of approval issued to public water suppliers, a list of all accredited water testing labs, details of any water advisory notices issued, information about convictions under the act and information about civil action judicial reviews under the act.

Water offences: the act makes it an offence for a public water supplier to supply water that exceeds the maximum permitted level for any contaminant or substance, that contravenes the prescribed standard. It makes it an offence to pollute the water, with fines up to \$1 million for each day an offence occurs or continues.

Judicial remedies: the minister can apply for a restraining order to stop any individual from contravening the requirements under the act, regulations or a certificate of approval. A person who suffers damage under the act may bring an action for damages against any person who has contravened or failed to comply with the provisions of the act.

A water advisory council: when I asked the minister in the House whether he would support this bill, he referred to it as more red tape, but I want to say why this part is so important. The purpose of the council is to conduct research on water issues and advise the minister of the results of that research. Research would include drinking water quality, prescribed standards, contaminants and substances and their effects or any other matters that affect drinking water quality.

This bill addresses the responsibility of the minister. The minister is required to conduct research on methods

of purifying and conserving water and sources of surface and groundwater contamination. The minister shall annually table with the Legislature a state of safe drinking water report. The report contents include information on the work of the water council, a summary of the information added to the water registry, a report on the review of drinking water regulations, a report on the operation of the safe drinking water fund, a summary of measures taken by the government to address water quality issues and a statement of measure to be taken by the government to address water quantity issues.

The minister shall conduct an annual public review of the regulations made under the act in order to evaluate their adequacy in protecting human health.

Water regulations: Ontario drinking water objectives immediately become interim regulations. This is something that a number of environmental organizations—CELA, CIELAP and the Toronto Environmental Alliance, or TEA—have called for. Within one year of passage, the interim regulations shall be replaced by comprehensive new regulations, and the minister is required to conduct an annual public review of the regulations to evaluate their adequacy in protecting human health.

Finally, a very important component of this bill is a safe drinking water fund. It establishes a fund for the purposes of providing technical and financial assistance to public water suppliers to ensure they are able to meet their obligations under the act and regulations. This fund could be used to provide technical and financial assistance to maintain and improve drinking water quality, improve water delivery systems, provide employee training and establish programs to assess and protect source areas.

1010

These are some of the key elements and highlights of the bill we have before us today. We know that the minister, when asked yesterday if he was willing to support this bill today, continued to give the answer that he has been giving frequently, which is that he has brought in regulations, the best regulations in the country. Well, I have to say to the minister that, as we all know, Dr Murray McQuigge has said openly and publicly that the minister's regulations don't cut it, that they don't do what is needed to protect the drinking water for the people of Ontario. I would say to all members in the Legislature today that Dr Murray McQuigge should be listened to. He is the one who blew the whistle in Walkerton. Surely the government at this time, after Walkerton, would listen to one of the experts in the field who has warned the government that their regulations would not in fact prevent another Walkerton.

A number of key environmental groups—these are non-partisan environmental organizations—have publicly endorsed Bill 96. Indeed, CELA has sent a letter, in a non-partisan way, to all three leaders in this House calling on all members to be in the House to support this bill today so it can go to committee, so that we can have committee hearings and improve on this bill. I can say to

you, Mr Speaker, that this is a fine guideline, a beginning of one of the most comprehensive and perhaps best clean drinking water acts we could have in North America. We have taken some of the best of some of the most progressive safe drinking water legislation in the US. Indeed, through my very able assistant, Sean Morton, who is a lawyer and also has an M.A. in environmental studies, an expert in this area who put a lot of work into this bill, it is indeed a comprehensive bill and a made-in-Ontario bill that, if passed, will be a fine framework for us to go out to committee and, all together in this House, hear from experts outside and come up with the most comprehensive legislation in Ontario.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I want to begin by stating the obvious: there is not an MPP in this House who is not concerned about the tragedy in Walkerton and what those people have been going through for the past several months. For these reasons, it is important that we are debating Bill 96 today.

However, Bill 96 really offers nothing new. In fact, the bill duplicates many efforts already underway to ensure safe water. In some areas, it doesn't go as far as the government has already gone. It does nothing to improve water safety that the province is not already doing. The force of law has already been given to these proposals through the drinking water protection regulation. Again, really nothing new or of value is added through this legislation. We have already given the force of law to everything Bill 96 proposes, and then some.

The Ontario government supports and is actively working to make the quality of drinking water in Ontario second to none. I want to explain to the House a number of steps the Minister of the Environment has taken to achieve this goal.

Restoring the public's confidence was taken by the Premier when he appointed Mr Justice O'Connor to conduct an independent public inquiry into the events at Walkerton and to advise the government on how to avoid this type of tragedy in the future. In addition to the O'Connor inquiry, there is also a coroner's investigation, an OPP investigation and a consultation on small waterworks, and we are currently reviewing the internal workings of the Ministry of the Environment.

The member for Toronto-Danforth proposes to create a water advisory council to do research on water issues and advise the minister. It raises the question: does Ms Churley presuppose the work of the Mr Justice O'Connor inquiry?

Another action was to launch Operation Clean Water, and we announced \$240 million through the OSTAR program, the Ontario small town and rural initiative, for the purpose of helping municipalities bring their waterworks activities in line with our tough, new standards. Bill 96 proposes to create a safe drinking water fund to provide technical and financial assistance to public water supplies. Some \$240 million in OSTAR funding has already done this; again, no new idea here.

As part of Operation Clean Water, we have already enacted our drinking water protection regulation. This

adopted Ontario drinking water objectives as regulations, and mandatory reporting and notification requirements. But as part of Operation Clean Water, not only did we adopt the old drinking water objectives, but we have also enhanced them, we have added strict, new criteria and we have already given them the force of law. Bill 96 proposes mandatory reporting and notification requirements. This has already been done.

There are several more points.

Under the Ontario Water Resources Act, fines range from \$20,000 to \$2 million. I personally feel they should be higher than that. Bill 96 calls for maximum penalties of \$1 million. I see this as a step backward.

The right to sue already exists. We know this from lawyers launching a class-action suit in Walkerton. Yet MPP Churley proposes in Bill 96 that we enact the right to sue.

As part of the Ontario drinking water protection regulation, the owner of a large waterworks must publish their test results quarterly, not yearly, and at no cost to the consumer. With respect to small waterworks, Minister Newman and I have launched consultations with respect to how these small waterworks will be affected by our tough, new standards. Now we see that Bill 96 calls for an annual report to the Legislature.

To conclude, in my view Bill 96 is old news with respect to water quality issues. Bill 96 has the right spirit, but what it proposes is really water under the bridge. Our government's actions to date—Operation Clean Water and its several parts, the new regulation, the OSTAR funding, continuing consultations and the findings of the O'Connor inquiry at its conclusion—will give Ontario the safest water in Canada.

Because of the intention of this bill and the fact that it mirrors much of what the government has already done, I will be voting for this bill. Again, Ontarians realize that with Mike Harris as Premier, a promise made is a promise kept.

Mr Mike Colle (Eglinton-Lawrence): Certainly Bill 96 is a comprehensive and reasoned response to a tragic example of mismanagement by this government. You heard from the last speaker, who continues to deny the reality of what the people of Ontario are facing. The people of Ontario have lost confidence in this government's ability to protect their drinking water. Wherever you go in the province, people agree with that. They don't believe this government understands or appreciates what has happened to water in this province.

For anyone on the other side to basically pick apart this proposal is, to me, a reflection of this government's lack of appreciation of what has happened. No action better demonstrates this government's lack of appreciation than when you see that one of their most significant responses is to hire the most expensive spin doctor in the country—I don't know what he's getting; \$1,000 a day—to basically spin the government's position on this. We don't need spin doctors; we need doctors like Dr McQuigge. That's who the government should be hiring: more doctors like McQuigge who have

the guts and the backbone to stand up and tell this government that its feeble attempts so far are not adequate.

1020

Member Churley's bill is an attempt to basically do what you should be doing. Stop denying reality. People in this province are saying that it is a provincial responsibility to protect drinking water. Drinking water is not just something that happens in one isolated community or home or area. Drinking water is interconnected in the aquifers, in the recharge functions; it is something that is like a web of underground wells that are all interconnected. So you can't have it in the hands of one municipality which this government tries to download on. This is not a downloadable responsibility. It's your job to protect drinking water.

Here we have a member who presents an honest attempt to say, "Do the right thing." I hope the members opposite would not only vote as individuals in favour of it, but would vote to have it unanimously passed today, for Pete's sake, if possible.

At what point do the members on the other side start to listen to their constituents and stop listening to the spin doctors hired by Premier Harris? Talk to your constituents. Ask them if they believe that your government has a handle on the drinking water problem. I'm sure all of them will tell you that you don't.

So listen to member Churley's suggestions in Bill 96, which is an intelligent, comprehensive approach to a very, very complex and serious problem. It's a meaningful contribution. So let's not just patronize it and say, "Oh yes, all these things are wrong with it, but I'm still going to vote in favour of it." We should be, all members on both sides, pushing for unanimous consent to get this bill passed within 24 hours, if we really understood the gravity of what's happening in Ontario and to people's drinking water. Whether it's their own individual wells, or whether it's municipal water systems, there is, in essence, a state of chaos in something as fundamental as drinking water.

In some cases it's worse conditions than are in Third World countries. Walkerton still—how many months has it been? Four months, and they still can't drink the water. If that doesn't tell you that your government doesn't know what it's doing, what else would tell you that? At what point do you wake up and stop posturing politically? At what point do you say, "Let's listen to Dr McQuigge instead of the spin doctors?" At what point do you come to that realization?

I really wonder what it would take to make you understand that it isn't business as usual with water. We have an imperative here, a health imperative. It's not a political issue, it's a health issue. Every Ontario citizen, in small rural hamlets or in big cities, has a right, as a result of their paying of taxes, to have you as the government do your job and protect something as fundamental as drinking water.

This shouldn't even be debated. You're still debating it. Your minister still stands up in the House and says his feeble attempts are good enough, when everybody says

the opposite. You're not doing enough. You are more interested, as I said, in propaganda and pretending that you're doing enough than in actually doing your job.

This is not about red tape. This is not about bureaucracy. This is about a fundamental mandate you have as government. You are the government, whether you believe it or not. Do your job and protect people's drinking water. This bill should be supported by everyone in this House, without question. I'd like to see anyone who would dare vote against it, for what reason.

The Acting Speaker: Further debate?

Mr Howard Hampton (Kenora-Rainy River): Mr Speaker, I'd like to raise a process issue at this time. I'm asking for unanimous consent to do the two-minute reply and windup on behalf of Ms Churley at the end of this debate. She has been asked to attend a very important safe drinking water conference, and, just because of the scheduling, she may not be here for the two-minute wrap-up, so I'm asking for unanimous consent that I can do that.

The Acting Speaker: Mr Hampton has asked for unanimous consent to do the two-minute windup. Agreed? Agreed.

Mr Hampton: I'm asking all members to support this legislation today. I am asking all the members to recognize the current situation in this province, where there are a number of communities in this province that are now directed to boil their water, where there are a number of communities in this province that have been told, at long last, by either medical officers of health or by provincial authorities or by independent testing agencies that they have serious water quality problems.

We know that Walkerton continues to be in a crisis, but we also know that there are literally over 100 communities in this province that now have significant problems with their drinking water and that cannot, with any degree of certainty, assure their citizens of the ongoing safety of their drinking water. So I am asking all members to recognize that we have a province-wide problem here. I am asking all members to recognize that there are a number of features in this bill which will go a very significant distance in terms of aiding not only the citizens of Ontario but aiding the current government in terms of dealing with this very serious problem.

Briefly, what is in the bill that is so important is to set in legislation so that it is very clear for everyone—for municipalities, for municipal officials, for provincial officials, for private organizations—to set very clearly in legislation that water testing can only be conducted by accredited labs, to put in place strict notification requirements.

Two of the problems in Walkerton that we already know about were that there was a switch from one lab to another, which caused some inconsistency, and the second problem that we already know about is that, because there were no strict notification requirements, people who should have known didn't know. The medical officer of health wasn't notified. Can you imagine that? The officer in the public health system who is

supposed to have some control, who can issue directives about boiled water, wasn't notified. This needs to be in legislation.

Having it in a regulation somewhere is not sufficient. We have seen over the last five years how easily this government will pass and then get rid of regulations. We have seen how they will often do away with regulations without any public consultation whatsoever, without any reference to those groups or organizations or the public health of citizens who might be affected. This needs to be in legislation.

Strong community right-to-know provisions: we already know that one of the problems of Walkerton was that there were a series of incidents where people were going to the hospital with flu-like symptoms but the community at large had no strong community right-to-know provisions that they could rely upon. People who should have known, who deserved to know, were kept in the dark. Again, this can't be covered by some obscure regulation somewhere. This needs to be in legislation so that at all levels all levels of government and private organizations which might from time to time be involved with this would clearly know what the law is.

Again, other provisions: judicial review of actions of the Minister of the Environment with respect to clean water and safeguarding drinking water. We need to have a forum whereby citizens or a medical officer of health, if he believes that wrong decisions have been made or that enforcement is not proceeding as it should—we need to have another level of accountability here.

Establish a water advisory council. Let us recognize that Ontario is a very diverse province, that what may not be a problem in Toronto could be a problem in Walkerton, or in areas that are rapidly developing in terms of suburbanization or industrialization or intensive farm operations. We need an ongoing water advisory council which requires the minister to undertake research on water issues.

With all of the warnings that were issued pre-Walkerton, with all of the concerns that have been raised by the Environmental Commissioner, by the auditor, all of the concerns that were being raised by municipalities concerned about intensive farming, if there had been a water advisory council that was looking at these issues and if there had been a requirement by the ministry to undertake research, I think we would agree we'd be in a much better position today.

1030

Annual state of safe drinking water report: I can only say to members that we know when the Environmental Commissioner releases the annual report, it holds government and it holds outside authorities accountable. When the Provincial Auditor issues a report, we know that it holds not only government but outside bodies accountable. That is why we need an annual safe drinking water report.

And finally, a safe drinking water act fund: all the members here know that a private member's bill cannot require the government to expend money. A private member's bill cannot require the government to set aside

a fund. But what this bill does is puts in place all of the things, all of the kinds of measures which would then allow government and give government a strong basis upon which to set up such a drinking water act fund.

Why is such a fund necessary? I invite all members of the Legislature to go out there and talk to small municipalities across this province, whether in rural Ontario or northern Ontario or suburban Ontario, and you will find out that virtually every one of them recognizes that they have to do something in terms of either assuring proper operation, better operation of their sewage treatment plant or an upgrading of their water treatment plant, yet they don't have the money. They could tax local residents to the nth degree. They could sell off their water treatment plant or their sewage treatment plant to a private operator, but in any case, the cost of doing this will be beyond, and is beyond, the capacity of local ratepayers and beyond the capacity of local consumers to finance this kind of operation. There must be a provincial safe drinking water fund.

To say that SuperBuild will do it, I'm sorry, members should know that SuperBuild doesn't provide as much capital funding as was provided before. SuperBuild is open to things like hockey arenas or community centres or streets and roads, a number of projects which in effect hive down, severely decimate the amount of money that is available for drinking water protection. SuperBuild is not the answer. SuperBuild has far too wide a scope and isn't a dedicated fund.

If we recognize the seriousness of the problem, we will recognize the need for a drinking water fund. This bill doesn't provide that, but it puts in place all of the kinds of measures which would then make it much easier for a government and much more coherent for a government to put in place that kind of safe drinking water fund.

Members of the government have said, "Well, we have the regulations put in place by the Ministry of the Environment." I want all members of the government to listen very carefully to what Dr McQuigge said. Remember, Dr McQuigge was the person who blew the whistle on this; otherwise we may have had more people dying and hundreds more people sick. He said that there's a real problem in that the regulations put in place by the government don't tell municipalities or anyone else what must be done once a problem is identified.

Let's go back and revisit Walkerton for a minute. There were lab test reports telling people at the municipal level that there was a problem with their water. However, with the breakdown in regulatory authority, with the reductions at the Ministry of Environment, no one knew what to do. No one was required by law to report to the medical officer of health or to report the urgency to the Ministry of Environment. That is still the case, Dr McQuigge says, with the regulations put in place by the government. They don't address one of the central issues that arose in Walkerton. They just don't meet the test.

I'm urging all government members and I'm urging all members of the House, recognize the need for this

legislation; recognize that it addresses one of the most serious and most widespread problems in Ontario today; recognize that it will assist municipalities, it will assist municipal officials, it will assist outside agencies, it will assist provincial officials, it will assist provincial organizations and it will assist the government itself, but most of all it will aid the citizens of Ontario in acquiring once again confidence in the quality of our drinking water and confidence that governments, whether municipal, regional or provincial, have more of the tools that are necessary to take on this very important issue.

I urge all members, recognize what this legislation does, that it is a very big step forward, and not only is it a big step forward but it does a lot in terms of enabling governments of the day—municipal, regional and provincial—to do more of what must be done and to do it very quickly.

Again, Mr Speaker, I'm asking all members of the Legislature for support and I thank you for the opportunity to participate.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I only have a few minutes to comment with respect to this bill and I'll say initially that I intend to support it in principle.

I think all of us in this House are concerned that the public in this province are confident in our water supply, that it's safe. Any of us who travel to the Caribbean or Mexico or even some of the European countries are told, "Don't drink the water." We don't have that here and we don't want that here. We want it to be safe.

I think all members of the House will do whatever they can to make our drinking water safe, and this member is trying to do that, although the bill appeared to have been introduced shortly after the Walkerton incident and it may be premature because we do have Justice O'Connor, who has a public inquiry underway which may reveal a number of things. It may reveal some problems with the provincial regulations, the municipal testing procedures. We don't know. So in that respect the bill may be premature.

I don't intend to repeat the comments that were made by the member from Haldimand-Norfolk-Brant, who commented that Bill 96 does duplicate efforts that are underway to ensure water safety. In fact, he said that many of the sections don't go as far as what we're already doing. But that doesn't say that I don't support the member in what she's trying to do.

The leader of the third party has indicated he's going to take her place in response, or that someone in the New Democratic caucus is going to take her place, and I'd like some comments. I'm only going to comment on a couple of sections, with the time allowed, including sections 11, 12 and 13, dealing with an advisory council, and section 14, which deals with the testing of the private water system.

Section 14 says, "The minister shall, at the request of any user of a private water system, cause the water to be tested in accordance with subsection 4," and then it goes on to deal with establishing "regulations to establish

contaminant and substance levels." If I understand what that section means—the member is from the city and isn't from the country—I can tell you there are thousands of private wells around this province, and if that section means that all the private wells in this province shall be tested by the province of Ontario—I mean, as a result of Walkerton, as I understand it, between May and September of last year, there were 27,884 water samples tested in labs across the province.

1040

Walkerton has got everybody scared out of their wits and now, in that same period, over the same time period, that number has risen to 467,968. When you go to have your water tested, for the benefit of my friends who live in the city, you go to the health unit, you get a little bottle and you go home and take the sample and you take it back and it's tested. That's how it works. That isn't what section 14 says. Section 14 says that the province, the state, will test all the private water systems. I must confess the state doesn't test the septic systems. It doesn't test my car. It doesn't test a whole slew of things. The onus is on me, as an owner of a private well system. My time is already almost expired; I don't have time to talk about—

Mr George Smitherman (Toronto Centre-Rosedale): Your time is up.

Mr Tilson: It's not quite up, to my friend.

I must say, although I support in principle the water advisory council, that creates a whole slew of bureaucracy, of things that we're doing now. The province of Ontario, through the Ministry of Health, the health units, does all of these things. They do all of these things that are outlined in sections 11, 12 and 13. We're creating a whole new level of bureaucracy which, I must confess, the Liberal and New Democratic caucuses have done in the past, which is why we ended up in this economic mess in this province.

Mr James J. Bradley (St Catharines): As you may suspect, I will be supporting the bill before us this morning, because I think it will make a significant contribution to improving the water safety in Ontario and reducing the risk to our water supply. The overall issue that we have when we deal with the role of government is: what role should government play in our personal lives? Most people would recognize, for instance, that government shouldn't build cars, that government shouldn't be involved in the steel industry in terms of the manufacturing of steel. In other words, there are many areas where the private sector should be involved and government should not be involved.

One area clearly where government has a role to play—and this would be felt by people of all political persuasions except the most extreme of ideologues—is in the protection of our environment and, specifically in this case, the protection of our water supply.

I was as concerned as, I'm sure, many others on this side of the House when we heard about the Red Tape Commission being established. Governments in the past have reviewed regulations on an ongoing basis to estab-

lish which regulations would no longer be necessary. This government established the Red Tape Commission. One of its primary initiatives was to make recommendations to weaken both legislation and regulations related to the environment and to remove some of those regulations which I know some people found cumbersome and annoying but which were there to protect the environment. This commission has been re-established; ironically, it was on the same day as the Walkerton story broke. The government had put out a press release that Frank Sheehan, former member for Erie-Lincoln, and Bob Wood, member for London, were both going to co-chair this particular initiative.

What we have emerging from that is a weakening of legislation and a weakening of regulations. What the public of this province want—yes, I know there are some people who do not, and to those on the government side who went around telling people, "We're going to get the Ministry of the Environment out of your face." I must say you've delivered on that promise, because the Ministry of the Environment is out of the faces of a lot of polluters right now. But the public—regardless, again, of political affiliation—want to see legislation of this kind passed and want to see the government play a central role in the protection of the environment.

There will be some who would say this is intrusive. Indeed, it is intrusive, but it is intrusive in a good cause. For instance, the creation of a water council whose mandate will be to conduct research on water issues and advise the minister is excellent, particularly if you can get people who are experts in the field, who are well schooled in the issues of waste water and drinking water.

It calls for the creation of a safe drinking water fund. Certainly we know that the fund which was established by the government of some \$240,000, I think it is, is very important if it had more money in it. I'm going to turn this over to a colleague of mine in a moment.

I'm going to indicate my strong support for this particular piece of legislation, which has many areas in it that are of great significance and which will improve the water supply in the province of Ontario—as I drink some water in this province.

I should note that there are so many areas where people say government shouldn't be involved, but I want to make this point to you. In the field of the protection of the drinking water in our province, the government has a role to reduce that risk. It seems to me what happened when the government cut one third of the staff of the Ministry of the Environment and about 45% of the budget is that it increased tremendously the risk of a situation such as Walkerton arising in our province, and that is most unfortunate.

This bill contains, as I say, a number of provisions which will help to protect the water supply in this province. There have been other initiatives that people have advocated in this House, in this party, on the government side and in the New Democratic Party, which can also have a major effect in that regard. I simply want to add, as the critic for the official opposition, the Liberal

Party, my strong support for this legislation and any other initiatives which will protect water safety in this province.

Mr John O'Toole (Durham): It's my privilege this morning to address the member's bill, Bill 96, the Safe Drinking Water Act, 2000. I can say right off the bat that certainly each one of us here would support the whole idea of the purpose clause in the bill, and I will, for the sake of the record, read that. The purpose is "to recognize that people who use public water systems in Ontario have a right to receive clean and safe drinking water from them; to restore public confidence in the quality of drinking water throughout Ontario; and to protect and enhance the quality of drinking water in Ontario."

It goes on to mention the use of accredited labs and accountability to the Ministry of the Environment, and not only to the Ministry of the Environment but to the people of Ontario.

Minister Newman's initiative, I would admit, was in response to Walkerton. We all received a wake-up call, not just in my riding of Durham but I believe across the province of Ontario. I can tell you that the Operation Clean Water initiative that Premier Harris and Minister Newman announced was clearly in response to that. I believe it was fast, decisive action, and I respectfully say that the member's bill goes almost all of the way to support the initiatives within that bill. So you could say for the record I will be supporting the initiatives recommended in the purpose clause. But, as the member for Dufferin-Peel-Wellington-Grey mentioned, there are certain sections in the legislation that perhaps don't go as far as our own initiatives. I believe that our government's measures are the best way to ensure continued safety of provincial drinking water.

Some of the initiatives involved a series of consultations on small water treatment facilities, consultations on nutrient management which are ongoing under the Ministry of Agriculture as well, which involve strict environmental safeguards for agricultural practices and consultations on groundwater management.

I won't go over some of the details that my colleagues have already touched on. I know the parliamentary assistant, Toby Barrett, from Haldimand-Norfolk-Brant, certainly has been out in the field working. I know for sure that he's actually been to Walkerton and in his own riding has made a point of informing himself of the ongoing concerns of our own need to have confidence in the water systems in Ontario. I believe the initiatives announced by Minister Newman, Minister Clement and the Premier are among the strongest in Ontario's history and I believe they're the strongest in Canada.

I would like to take a moment to read a few comments from my own observations within the riding of Durham. It's already one of the stringent requirements listed in Operation Clean Water, and here's what's been said within Durham. Ron Motum, supervisor of technical support for the regional municipality of Durham's works department, recently reported in one of my riding's local newspapers on Operation Clean Water: "A lot of these

things, we're already doing. In some cases we're doing more than indicated in the new regulations."

So I think that in most cases the public civil servants in the riding of Durham, and I would dare say those people working in those very important public roles, take their jobs very seriously.

1050

Mr Motum added that Durham region reports its findings to the Ministry of the Environment and the information about water quality is frequently provided to the public. In fact, I think Operation Clean Water goes one step further. It not only says that it will be frequent; it says it will be required.

Durham region also has information links for the public on water safety and instructions on well testing throughout the Web site, www.region.durham.on.ca.

Also, last spring, the Durham region associate medical officer of health, Dr Donna Reynolds, told the public about the tight rules that are followed in my area. She said: "In addition to testing that is required by the Ministry of the Environment, Durham region public health inspectors are responsible for the collection of random samples of municipal tap water throughout the region. The inspectors involved in water testing collect a minimum of 500 samples a year to test for E coli and other bacteria."

It's clear that the public needs that assurance and that confidence. I can tell you, not just in response to Walkerton, that each one of us has to take some responsibility.

The issue in my riding that's very important is the whole issue of private wells. This has been a wake-up call for each of us. They should test their wells regularly and respond accordingly. Those have been the instructions from the medical officer of health, and I can assure you, the message is that we want to support this legislation in the sense that it goes most of the way in which Operation Clean Water intends to move.

Mr Rick Bartolucci (Sudbury): I too stand in support of this bill and I commend the member for introducing it. I would hope that everyone in the House supports it.

I'm from northern Ontario and I have a deep passion for northern Ontario and I never apologize for that. We have a problem in northern Ontario when it comes to our water. The problem is not solely in Sudbury. This is a problem throughout northern Ontario, so it's no small wonder that we, as the Liberal caucus, are opposed to the Adams mine project, which certainly does anything but guarantee clean water for future generations.

But let's talk about the more immediate concerns we have. Certainly my leader, Dalton McGuinty, travelled the province extensively over the course of the summer and visited places like Bruce Mines and White River; they are on boil-water orders. What a sad commentary on pristine northern Ontario that they have to be on boil-water orders. It just didn't happen naturally; it happened over a course of time by neglect of this government over the course of the last five years with its massive down-

loading. The pressure that they've put on municipalities is incredible, and this government will be held accountable by future generations for what they've done in the past and in the present.

In my home jurisdiction, in my city of Sudbury—and this will even shock the government members—there are 40,000 residents who cannot drink the water that comes out of the tap, because it isn't clean. Our region has brought in interim measures. We have four tanker trucks located in various areas in the south end of the city that people can come to and get water from this tanker truck so that they'll have drinking water. That's disgusting. That's a crime, and it's because this government over the course of the last five years has not lived up to its responsibilities, as the Ministry of Natural Resources, the Ministry of the Environment, the Ministry of Northern Development and Mines and as a government as a whole.

Last night our very progressive regional council passed a resolution to fix this problem that's going to cost a lot of money. Part of that resolution was to ensure that the government and, in particular, the Minister of Northern Development and Mines come to the table with money, because that's what's needed to fix the problem. We need an upgraded water filtration system at the David Street pumping station, we have to look at the Wahnapeit plant, and we have to make incredible modifications over the course of the next while to ensure that the 40,000 residents who are now getting their drinking water from tanker trucks will no longer have to do that. Imagine bathing in the following water: you can't bring graphics into the House any more, but you get a bottle of water, you colour it, you make it dirty brown, you put particles in it, and that's what comes out of the taps in the south end of the city.

Our community has had enough. The south end residents have told regional council very clearly and very distinctly, "We want it upgraded. We want to be able to turn on our taps and get clean water, not mud." In order to do that, this government is going to have to come to the table with money. I challenge you to do that.

Mr David Christopherson (Hamilton West): First of all, let me compliment my colleague from Toronto-Danforth in bringing forward such a crucial bill. I can't think of anything more timely. When we look back and try to determine what was the biggest single advancement in public health in the history of civilization, it really wasn't new technology, it wasn't new miracle drugs, it wasn't new methods of surgery; it was the provision of clean drinking water, the single biggest advancement in public health. Now, in one of the richest countries in the world with one of the highest standards of living that we've ever seen, that very public health issue is threatened, threatened to the point where people have died. When I hear the member for Dufferin-Peel-Wellington-Grey talk about the fact the bill may be premature—no, I say through you, Speaker; quite the contrary. This bill is long overdue. Perhaps if we had had this bill in place, we wouldn't have had Walkerton.

I want to mention something else while I'm on my feet. Virtually every member of the government caucus who has spoken this morning has gone out of their way to say that they agree with the intent, or they agree with the preamble. There are words there to say that they agree; then they proceed to show where they disagree, where they've got criticisms. I predict, and we believe in this caucus, that the Tory members today will actually vote for this bill. That is not the real issue. If we follow the bouncing ball, what really matters is, will this bill find its way into committee and will there be public hearings to debate the issue? Because if that doesn't happen, all the words in the world mean nothing; the vote today means nothing. It's just camouflage.

We need to hear from this government, from every one of you who is going to stand in your place today and vote for this bill, that you intend to see the bill carried through into committee so that it has some real life. Without that, they're just performing a public relations exercise this morning. Certainly the people of Ontario, when it comes to clean drinking water, deserve more than a public relations exercise. They deserve the protection that is contained in Bill 96. So vote for it, yes, speak to it, yes, but make sure it gets to committee so it has life.

The Acting Speaker: Response?

Mr Hampton: On behalf of Ms Churley, the member for Toronto-Danforth, I want to thank members for their support, but I want to echo the words of my colleague Mr Christopherson. We're asking members here today to vote for this legislation because it is good legislation, because there is no other legislation like it in Ontario today, because it is overdue legislation, because it will go a great distance in equipping municipalities, regional governments and the provincial government with the tools that are necessary to protect and safeguard our drinking water. But above and beyond that, we're asking members to support this bill going to committee and support this bill being subject to public hearings.

If we are really serious about protecting and safeguarding the drinking water of Ontario citizens, nothing else will do. If we're really serious about this and we are listening to the concerns of not only the citizens of Walkerton who have had their tragedy to deal with, but all of those other communities that are living now with boil-water directives and all of those other communities that are looking at multi-million-dollar costs in order to safeguard their drinking water, we can do nothing less.

This is legislation that needs to be passed here today and needs to go to committee and needs to be set forward for public hearings now so that citizens, wherever they may live in Ontario, will have an opportunity to take part in this debate, will have an opportunity to outline the problems, the solutions they would prefer, and the general direction that must be taken.

I implore all members, do the right thing. Listen to your conscience; listen to your constituents.

The Acting Speaker: The time for this ballot item is now expired. The question will be decided at 12 o'clock.

1100

INTERCOUNTRY ADOPTION
AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR L'ADOPTION INTERNATIONALE

Mr Cordiano moved second reading of the following bill:

Bill 116, An Act to amend the Intercountry Adoption Act, 1998 / Projet de loi 116, Loi modifiant la Loi de 1998 sur l'adoption internationale.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes.

Mr Joseph Cordiano (York South-Weston): Let me say that I am pleased to be debating this bill today, but I am very discouraged by the fact that we even need such a bill to be introduced. The reason this bill is required is because the Intercountry Adoption Act has imposed a head tax on orphans who are adopted from abroad.

In this province today, we do a great disservice to families. What we're talking about here is the desire on the part of many people to create a family, to form a family. Families in this province face all kinds of difficulties. It's a great struggle to raise children today. It's not easy. I can speak from experience. Many parents out there are having a tough time. The fact that these parents would desire to create their own family should be honoured by this Legislature, should be honoured by every single one of us.

How do we in Ontario honour these families today? We honour them by placing a head tax on the heads of the children they want to adopt: \$925 on top of the huge burden these families already face. Many of these families go into debt to finance the adoption process, up to \$20,000. It is a huge sum of money. These are not wealthy families. These are families from a broad cross-section of Ontario with incomes ranging from low to middle to high income. What we're doing is imposing yet another hardship on these people. I can't for the life of me understand why any of us in this Legislature would support this most odious head tax. That's the only way you can describe this; it's a head tax.

The minister would respond by saying that this is a fee designed to recoup some of the costs associated with this adoption process. False. That is entirely false, because international adoptions that are finalized in another country are the adoptions that are required to pay the \$925 head tax. Adoptions that are finalized in Ontario are not required to pay that head tax.

Let's examine that for a moment. If the process is conducted in the foreign country, all of the paperwork is done there. Therefore, I ask the minister, what additional costs are incurred by the ministry for this process to be completed in Ontario? The same home study that is conducted for Ontario adoptions—and that home study, by the way, is paid for by the adopting family—is conducted for foreign adoptions. There is no additional paperwork that is required to be done by the ministry.

The safeguards that were in place that were brought about as a result of the Hague convention are there to protect all adoptions and all children who are adopted.

For the life of me I cannot understand what additional costs there are with an adoption that is finalized in a foreign country. There are none. The simple reason that there is this head tax imposed on these children, on these families, this hardship, is that the government decided that they could get away with it, and so they had a cash grab.

This is not a huge amount of money, but it is significant; it's symbolic. The \$925 amounts to, I think, about \$700,000 per year in revenue. But at the end of the day, it's not justifiable. These fees, this tax, are simply not justifiable. For a government that has defended itself by proclaiming it is tax-fighting and helping working families, nothing could be further from the truth. You're not helping working families by imposing this head tax. You have punished families who desire to create a family of their own.

We should, as legislators in this assembly, honour those families. Because, by God, they're taking on huge responsibilities. I can't justify this, and I don't think any one of us should stand up and be able to justify this. At the end of the day, there is no justification.

Let me examine a further fact. In other jurisdictions, they are supportive of family formations by way of adoption. In the United States, there are tax credits of up to \$5,000 granted for families wishing to adopt abroad. The only debate that's taking place is how to increase that tax credit; not to eliminate it, but how to increase it. I think it's disgraceful that here in Ontario the opposite is true. I think it's shameful. Frankly, in other parts of this country—in Quebec—they have non-refundable tax credits that encourage family formations, that encourage adoption from abroad.

There is really no support for this to be a fee. I've asked the minister repeatedly, and frankly, I would have thought by now that the minister would have rescinded this tax, knowing that it was wrong. In fact, there is in the act a requirement that the minister review the tax after one year, and he promised to do that. I say to the minister, "Act now. Don't wait for a year to go by. Act now and rescind the tax," because many people would be grateful and thankful, and it would be a gesture to the people of this province that this government, this assembly, cares about families.

1110

As it stands right now, this government is saying to families, "We really don't care. It's an additional burden. You're going to have to pay it. You want to adopt children from abroad, then that's a luxury. We don't care. We simply have no regard for that, and you're going to have to pay an additional \$925 on top of the huge burden that exists and the costs associated with that," up to \$20,000 to adopt children from abroad, and that's after-tax dollars. That is a huge amount of money.

We should, in this province, be encouraging family formation. We'd be encouraging couples that want to

adopt from abroad. We are doing ourselves a great service, we are doing the people of this province a great service, we are acting in a very valuable way if we do that and encourage families. Let's go in the opposite direction. Let's provide additional support for people who wish to adopt children. That's what I'm asking the government to do eventually.

Today, we're dealing with the elimination of a head tax. That's all my bill asks the government to do. I implore the members opposite, I implore the backbenchers, particularly in the government, to consider what I'm saying. It is a simple act. It is a simple amendment that would eliminate the head tax. There's simply no reason in the world that this tax exists, as I've tried to outline for you. There is no justification for this additional head tax.

The minister is incorrect when he says he needs this to recoup costs. As I've demonstrated today, there are no additional costs to the ministry. This is simply a cash grab, and it cannot be justified by this government, or for that matter, any other government. In this province, we should be proud, we should be standing up and defending family formations and defending the right of individuals, because it is a right, to create their own families. So let's honour those families. Let's not disrespect them. Please support this bill.

The Acting Speaker: Further debate?

Mr Bart Maves (Niagara Falls): I'd just like to take a few minutes to talk about the Intercountry Adoption Act and give some background. When we implemented the Hague Convention on Intercountry Adoption, including all of its requirements under this convention, our government was required to pass an Intercountry Adoption Act. Under this act, the Ministry of Community and Social Services became the central authority for Ontario, with responsibility for a number of functions and processes related to international adoption. The purpose of us becoming the central authority was really to have some procedural safeguards in place to protect the best interests of the children and families that were involved in intercountry adoption.

At the time we passed the act, all three parties agreed with the act. In the act was the ability for the director to charge a fee for services incurred by the ministry in fulfilling its roles. At the time, neither of the two parties raised this as an issue. We don't need legislation to adjust a fee. Right now the fee is \$925. You don't need legislation to adjust the fee, because it's up to the director, right now in the legislation, to remove the fee if he wants, to reduce the fee if he wants. So it's not necessary to pass a piece of legislation to effect that change if the House decides that's the change it wants.

But I would say that at the time of the legislation, which got all-party approval, it was contemplated and it was in the act that there could be a fee for services provided by the ministry. What types of services does the ministry provide in order to justify this fee? One of the key things is licensing of people who facilitate adoptions, and being involved to make sure that all the guidelines

are followed and procedures are followed to make sure that we don't have some of the horror stories that we've had before.

When we had the debate about this, the member opposite who is proposing this bill had some experiences himself, some horror stories that he talked about in intercountry adoptions. The reason why he wanted that act, along with the rest of the House, was to stop that from happening, involve the government in a way that they could safeguard things from happening again.

Many things have happened over the past with facilitators taking and extorting money from people, saying they are going to come up with a child for them from a foreign country. There has been misrepresentation of medical assessments of the child. The government, not being allowed to help with that, has allowed that to go on. There has been falsifying of documents, colluding with individuals. There is story after story about country after country about these things occurring.

So the ministry now, by the Intercountry Adoption Act, which this House unanimously agreed to, does several things and is responsible for several functions: they have to receive adoption applications from persons resident in Ontario; they have to determine that applicants are eligible and suited to adopt; they have to prepare reports on the applicants and transmit reports on applicants to the central authority in the child's country; they approve the proposed adoption and agree that it may proceed; they obtain permission for the child to enter and reside permanently in Ontario; they ensure that transfer of the child takes place in secure and appropriate circumstances; they keep the state of origin informed of the progress of the adoption process; and they take measures necessary to protect a child during a probationary placement. These are all new roles that the ministry has undertaken.

Toward that they have already, for instance, hired four full-time staff. They are in the process of hiring another staff. They've already developed new standards and guidelines and procedural manuals and public information documents. They've licensed nine international adoption agencies, and there's a process to make sure that it can be verified whether those agencies should be licensed.

So there is a whole variety of functions that have been undertaken, and that is the purpose of the fee. It's a fee for service, in effect. It was, as I said at the outset, contemplated when the legislation was approved by all three parties. There is a service that's being provided by the government, there is cost being incurred by taxpayers, and that's why today that fee is there.

As I said at the outset, all three parties agreed with this act, and this was in the act, contemplated by the act. It can be changed by regulation. If this House decides that there shouldn't be a fee, if this House decides that it should be a higher fee, if this House decides it should be a lower fee, that can all be done by regulation. An act doesn't have to be passed to change the Intercountry Adoption Act.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I am very pleased to speak this morning on the act that has been presented to this House by my colleague.

I listened with some interest to the member for Niagara Falls. He did provide some history with regard to the act. He would indicate that all parties were in agreement with that part of the act that gives the power to the director to establish a fee to recover costs. I would suggest, however, that what is in place right now is not a fee to recover costs, because there is no difference in terms of the cost of processing intercountry adoptions. The cost is the same. Where there is the discriminatory practice by this government, the government, the director, has decided that for those adoptions that are finalized outside of Ontario, the government would impose a \$925 head tax. The government has not been able to demonstrate that, for those adoptions finalized outside of Ontario, there is \$925 in administrative costs.

I think that it is important for this House to understand that as recently as August of this year, a family has filed a formal complaint with the Ontario Human Rights Commission on this issue. It's important for the members of this House to understand that when families are adopting children from other countries, they have no choice as to where the adoption is finalized. It is the country of origin of the child that makes that determination. So this government is penalizing parents on an issue that they have absolutely no control over: where the adoption is finalized.

I find it interesting that a government that so regularly prides itself on cutting taxes is so quick to implement such an unfair and onerous \$925 tax on families. My leader, Dalton McGuinty, has said that by imposing a head tax on children, Mike Harris has gone too far, and I agree with him wholeheartedly. I believe that we have an opportunity today in the Legislature to support legislation that will remove that part of the act that permits a director to make those kinds of decisions. Certainly we on this side of the House, when we support those kinds of provisions, it's with the very clear understanding that any levy of such fees would be justifiable, and what my colleague has brought to the attention of our caucus is that in fact these fees are not justifiable.

1120

The member for Niagara Falls has described part of the process, and certainly there is a variety of steps that must be taken to ensure that the families that receive children from other countries do that with the very best of intentions and with the ability to provide good homes for those children. But what this government has not been able to demonstrate is how they can justify that, in those cases where adoptions are finalized outside of Ontario, there is \$925 in additional costs. Whatever costs are associated with adopting children outside of the country, they are the same whether the adoptions are finalized in the province or in the country of origin.

I believe, ladies and gentlemen, it is important that we as legislators take this opportunity to correct that part of

the legislation that has enabled the director of this ministry to impose what I believe is an unjust and inequitable tax on people who look to build families in this country.

I thank you very much for the time this morning.

Mr David Christopherson (Hamilton West): Let me begin by commending my legislative colleague the member for York South-Weston, Mr Cordiano, on introducing such a bill. I realize that the member for Niagara Falls says that we don't need this bill, it doesn't need to be legislation, and technically it may or may not be so. But the fact is that somebody has to do something because the government has the power already to do something about it and they haven't. So somebody had to provide some mechanism to put the force of this House behind the effort to remove this head tax. I compliment Mr Cordiano on bringing it forward, because it is outrageous.

I heard, again, the member for Niagara Falls say, "All members of the House supported the original bill, the Intercountry Adoption Act, 1998." Somehow, by virtue of having supported that bill, we're now culpable in this \$925 cash grab head tax. What nonsense. What absolute nonsense. We supported the bill because it was a good piece of legislation. Contrary to the government's line that all we ever do is oppose, oppose, oppose, that we never do anything positive over here in the opposition, well, there are numerous examples, and this is yet another.

Yes, we supported the original bill. I'm proud that we did. We will be supporting this bill, and I'm equally proud we will do that, because I don't think there is one of us in this House, and I go so far as to say including members of the government backbenches, who believed that by virtue of enacting the Intercountry Adoption Act, 1998, we were going to burden Ontario families with a \$925 head tax. This is after many of those families have already paid up to \$20,000. They've already put forward up to \$20,000 to bring a child from another country, in many cases a war-torn country, an emerging democracy, benefiting the child, benefiting in many cases the original country because they may not have the means to provide for all of the children, all of the orphans in many cases. Certainly it's beneficial to the families here in Ontario. For a government that says they want to be about family, it's difficult for those of us on this side of the House to understand how a \$925 head tax is of help to Ontario families, particularly when, as has been mentioned by the author of the bill, in the United States many of those states provide up to \$5,000 in a tax credit to assist American families to do exactly the same thing.

In our own country, Alberta has refused to take the step that you've taken. Quebec actually provides up to \$3,000 as a tax credit to assist families, because their government recognizes that it is beneficial to everyone. It's a win-win-win, until you get to Ontario, and then you get this bucket of cold water thrown on this wonderful activity that is bringing so much joy to so many people. For the government to say that there are added fees

involved—my understanding is that the adoption agencies are already paying an annual fee of about \$1,800. Further to that, I remember when this government came into power in 1995, one of the first things they did was roll back a filing fee that had been imposed on businesses in Ontario to recover some of the costs of filing the corporate papers that have to be done within the Ministry of Finance. Their position at that time was that this is a user fee that business ought not pay. But today it's OK to put a \$925 head tax on kids. Now, when did this government decide that children are a goods and service to be taxed at the whim of any government? When did we make that shift? When did you decide that children are a commodity that can be taxed on a whim?

I find it particularly disturbing that on a day when earlier this morning we talked about families, about individual health, about community health, about safe water, about what happened in Walkerton, the very next bill we're dealing with after that is one where we're trying to get the government to recognize that we want Ontario families to be able to adopt. And we want, if they choose, for them to go to other countries. I defy any one of you to stand up and say where this is a bad thing, where there's something wrong with that. For somebody outside Ontario, you can't but take in the message that somehow we don't want children from anywhere other than Canada.

I have to say that I like to believe that's not the case, that's not what this government wants to say, but I say to the members in the government who are here today, what else can people determine when you've got the United States, Quebec and Alberta, about as diverse a political philosophy among governments as you're ever going to find, who decide to go in exactly the opposite direction and we tag Ontario families with almost a thousand-dollar tax to bring a child into Canada, into our province and into our communities?

1130

It's going to be interesting to see how many members of the government actually stand up and defend the \$925 head tax by virtue of voting against this bill. For any of you who are planning it, I say this to you, a cautionary note: I don't believe that this \$925 head tax will stand the test of time. There will be enough pressure, there will be enough letters to the editor, letters to members, editorials, continuing public pressure that eventually it will be eliminated. Whether we're successful right off the bat with Mr Cordiano's bill or not, that is going to be the end result.

For every one of you who stands up today and goes on the public record saying that you support this, I believe you're going to regret it down the road when it's eliminated, and let me say probably with great fanfare. The minister of the day will probably stand up and make a great pronouncement about how they care about families and how they care about what's going on around the world and that this is a wonderful thing that happens when a child is brought from another country here into Ontario and therefore, because they care so much about

Ontario families and because they care so much about children, they're going to remove that awful \$925 head tax, and every one of you that stands up here today is going to be left with egg on your face.

So I urge you to think very carefully, because this is one of those issues that you think really doesn't matter, that people aren't watching, but that has a way of coming back around a few years later and biting you, right when you're not expecting it and right where you don't want it.

Helen Christensen from Sault Ste Marie, my friend Tony Martin's riding, wrote to your minister. In her letter she said, "This fee clearly discriminates against families adopting and finalizing the adoption outside Canada. It appears to violate the Ontario Human Rights Code which provides for equal treatment without discrimination on the basis of family status and place of origin." I think Helen Christensen nailed this right on. For her to quote from the Ontario Human Rights Code, which makes reference specifically that there should not be discrimination based on your place of origin—we're talking about babies born in a place other than Canada. You don't charge this amount to adopt from within Ontario, but you are charging this \$925 head tax if the child is born somewhere other than Ontario.

I agree with Helen. If ever there was a clear violation of the Human Rights Code, this is it. I suspect, if you don't back off this head tax, this anti-child tax, you're going to find that you'll be forced to by law, and that wouldn't be the first time either. How many times have we seen human rights issues being taken to the courts because the only way Ontarians can get their rights under the law with this government is to take them to court? And you've lost, time after time after time, and not based on some obscure technicality. You were told right up front, "You're violating the law. It's unconstitutional. You're violating our charter. You're violating our Human Rights Code." You were told those things. You're being told those things again today.

Now, we've only heard one Tory backbencher speak. I assume, since the member for Niagara Falls is a parliamentary assistant, that he is probably speaking for the government, for the cabinet. But this is private members' time. This is that one rare, unique opportunity that each of us has as individual members elected to this honourable place to speak and vote our mind, our heart and our conscience. I implore every one of you to please move away from these sterile, technical arguments about why this is justified.

If you stand back and look at what other jurisdictions are doing, right next door to us, in the western part of Canada, south of the border—look at the direction they're going in. Stand back and look at the broader picture. For a government that says they care about families, it's wrong. It was wrong to bring this in, and it's wrong to leave it in.

Let me say that I believe this is also one of those moral issues, that if every government backbencher joined with us here in the opposition benches and voted unanimously—you don't have to make a speech today,

you don't have to burn your political bridges within your caucus. We understand. We're in caucuses; many of us have been in government, been in cabinets. We understand the pressure that each of you is under. But you can use that right that each of us has to stand in your place. By silently joining with us, you will speak louder than any other speech or method of communication you could use today. You know what? You'll feel good about yourself, you'll feel good about it, because this is wrong—it's wrong, it's wrong, it's wrong. There's no other way to look at it.

Let me close my comments by saying that the Children's Bridge is an organization that has lobbied strenuously on this issue, and their slogan is, "Making families happen"—making families happen. Why does it seem to be that your motto is, "Making families pay"?

Now is the time to do something that's important. This may not be the issue that's going to be on the front page of the paper tomorrow—I bet it's not—and it won't be the lead story in the newscast, but you know, for those families in Ontario that are going through this adoption process, this is probably the most important thing that will happen in their lives. They want to know that their parliamentarians and their government supports them in bringing a child here into Ontario and helping to raise them in the benefit of an Ontario family. Do the right thing. Vote for this bill.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate with respect to the Act to amend the Intercountry Adoption Act, 1998, brought forth by the member from York South. Certainly the member is very well intentioned. He has been a supporter of the legislation that was brought in much earlier. Certainly, when he was speaking on this legislation, he said, "I'm very happy to speak on this issue, a very important piece of legislation that is before us that, yes, I have advocated for. I'm glad to have this opportunity, because I want to talk about some of the things that members have been alluding to with respect to this legislation going further than the Hague convention. In fact, let me start by congratulating all members of the House, because this is one of those times when all of us can take some pride in the fact that we've all worked together on it. I want to congratulate the minister—yes, I'll do that, on one of the rare occasions that is possible—to say that she has brought forward a piece of legislation that we can all support."

Those were the very words of the member from York South. I believe him, that at the time he meant those words.

He goes on to say, "I just want to say in conclusion that I again thank all the members for being involved in this debate and for the support and consensus we've built around this issue."

"Two things come to mind. First, and the member for St Catharines had mentioned this earlier, the ministry needs to devote enough resources to ensure that this bill is implementable in our own jurisdiction. Further to that, the ministry, because of its contacts and the dealings it

will have and has had with other jurisdictions, should be encouraging the adoption and the ratification of the Hague convention in other countries. I think you can work with other countries to ensure that happens. By the way, the standards that are being proposed in this piece of legislation that was brought forward by the minister for Ontario are contained within the Hague convention. It's very important to recognize that."

So the member is essentially saying that he's a very strong supporter of the bill, and he's also saying, "Make sure you put enough resources in place to make sure it works."

So one of the tools that were put in place—it doesn't say "tax"; it's a case processing fee. It's basically that, a case-processing fee for something, an adoption that occurs within the borders of another country. Let's keep that in mind. And it can be waived in financial hardship.

1140

What the member is essentially saying with regard to this particular fee—and I think his intentions in terms of how he supports the bill are understandable—the spin that he's trying to put on this with respect to this amendment that he's trying to put, which he could have put when it first came forth, is the tax issue. It is totally divorced from what this is about. The fee that has been put in place is for the purpose of making sure that we have the resources to do what is necessary.

For example, what do they do? The creation and maintenance of file of an adoption application; review of the adoption home study based on Ontario and foreign country requirements; preparation of a letter of approval for foreign authorities; checking of documentation and preparation of correspondence for forwarding to appropriate adoption authorities; liaison with the licensed agency; approval of adoption practitioners, adoptive applicants, government authorities; review proposed adoption correspondence with foreign adoption authority; preparation of notice of agreement for immigration purposes; review and tracking of adoption process; and follow-up reports.

The members out there say there's no justification, there's nothing done, that this is just a punitive measure with respect to a potential adoptee. That couldn't be further from the truth. I think the process that has been put in place with respect to a case processing fee is just that, something which is happening within another country and is designed with the intent and purpose of putting the best interests of the children and the families first.

We put the resources in place to make sure that this works in terms of staff and a procedure. That's what the member wanted; that's what's been put in place. For him to say here today that this is a tax is completely not in line with what everybody unanimously agreed with when this act was passed.

Mr Alvin Curling (Scarborough-Rouge River): I am very happy and proud to stand and commend my colleague from York South for bringing forward this private member's bill, because it is extremely important.

This Intercountry Adoption Act was passed, as my good friend from Barrie-Simcoe-Bradford said, in 1998. The fact is we must remember that before this was done, it was my colleague from York South who had actually encouraged, coerced, done everything, so that this government could bring this forward. This was done a long time ago, and we know that these things are provincial matters to be endorsed the Hague convention.

In my limited time I won't dwell too much on the role of the Hague convention, but it's important that we recognize that a convention is there to standardize adoption requirements and therefore improve the processing—not, in itself, that other countries can charge processing fees, as my good friend from Barrie-Simcoe-Bradford said.

The record of this government has been extremely poor when it comes to this. It's awful. Because after my colleague from York South-Weston tried his best to bring it forward—he was very gracious when the minister brought this forward in the manner that he commended them for doing so, after years of doing that—that came in 1998.

We didn't know that it had taken them almost two years to bring a regulation in force. In that regulation, what this government has done is levy \$925 as a head tax on children who are being adopted outside. It is disgraceful.

Canada is known over the world as a compassionate and caring society, a society that reaches out sometimes when other nations have problems and also that we accommodate those. One of the greatest things we can do too is how we treat our children, abroad or here. Those who want to develop a family are being encouraged, but this government, at any opportunity it gets, taxes individuals. Here we are now with a process that has been done outside of this country. No domestic adoptions are being charged any fees, but right here in Ontario those adoptions that are done outside are now being charged \$925 an opportunity to do so.

The member for Niagara Falls said it's a regulation and we can change it any time we want. It is surprising that he said that. I presume the minister sent him to give the ministry line here. The fact is regulations can be changed. I was a cabinet minister. I know that. They can sit around the cabinet table and change it like that. Then my colleague who brought this forward will have to bring a bill in, in order for the government to change its mind.

Many of the private members who have an opportunity to speak and change their views on this, an opportunity to show some compassion and an opportunity to show that we are not discriminating in any way with other people, are now taking the party line, the ministerial line of saying that there is a processing fee they have to go through. It is surprising enough that those who are adopted here don't have any processing fee, those that are done domestically right here in Ontario, but those processes that are done outside are now charged \$925. I think it's rather disgraceful.

We must understand too that they are saying we must make protection, that these individuals are following the

procedures and laws laid down by the Hague convention. The fact is, this government also has agencies licensing that form and those agencies which are processing the adoption here are charged \$1,800 just to exist, to make sure they follow those regulations.

The individuals who are doing the adoption sometimes have a cost of over \$20,000. They are not only paying \$20,000 in all kinds of expenses to get the adoption here, but the government sees an opportunity in which to charge \$925 again.

I strongly support this and I hope that we all, as private members here today, support this in eliminating this head tax that we have placed on children today who were adopted outside of this country. I want to commend the member for York South-Weston for doing so.

Mr Wayne Wettlaufer (Kitchener Centre): I am pleased to speak to Bill 116, the Intercountry Adoption Amendment Act.

Adoption is a very serious issue and it's one that has been important to me for a long time. It's an issue that our government considered important as well. That's why we passed the Intercountry Adoption Act in 1998. Our government was motivated, regardless of what the members of the opposition say, by the intent to protect the children and the families who were adopting them.

There is an emotional commitment made by these families, and we wanted to protect that. We wanted to protect the interests of the children and the families. That is why we implemented the Hague convention on international adoption. It's a very serious issue.

You people on the opposite side, the Liberals and the NDP, want to talk about this as a head tax. They want to talk about this as a head tax, they want to talk about it as passing on costs. Let's talk about it, OK? You differ from me on where these costs should be passed. I don't believe they should be passed on to the taxpayer. The taxpayer is already overburdened. We don't need to pass on any more taxes. This is not a head tax; this is a straight cost recovery issue.

You seem to think that we can hire additional civil servants and it doesn't cost anything, that these civil servants work for nothing when they process the papers. I've got news for you. They don't, and the people of Ontario know it.

When the member for York South-Weston spoke to the Intercountry Adoption Act on October 1, 1998, he said, "These families are not asking for anything. They're not asking for resources. This is not going to cost any additional dollars. They are not asking for the state, the government, to help them.... They're simply asking for the chance to create and form their own families."

I ask the member, what has changed in two years? Now you think the state should contribute. You're a typical Liberal. You think you can suck and blow at the same time.

Interjections.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: Clearly that language is unparliamentary and ought to be withdrawn.

The Acting Speaker: Member for Kitchener Centre.

1150

Mr Wettlaufer: Thank you, Mr Speaker, I appreciate that. I applaud the member for bringing the issue of international adoption forward. But when he does it in this manner, I'm sorry but I can't support it. I cannot support it. You're playing politics with it. You people in the Liberal Party think you're experts at the art of political gamesmanship. That's all you're doing here. But the public knows better.

You think that people who are adopting these children from out of the country, and who pay \$10,000 or \$20,000 a year, shouldn't be saddled with the additional \$925 cost—not a head tax, a cost. So you think the rest of the people of Ontario should pay that cost. This can be waived in the case of families that can't afford it, but in general the families who are paying this \$10,000 and \$20,000 can afford it. I don't think the people of Ontario should have to fork over \$925 so you can play political games.

Mr Michael Bryant (St Paul's): The member from Kitchener Centre has raised a couple of issues that I think need to be directly addressed. Firstly—

Interjections.

The Acting Speaker: We need to have some quiet in here. If we're going to have private conversations, let's take them outside. I'm sorry for interrupting. The member for St Paul's.

Mr Bryant: The member from Kitchener Centre said the sponsor of this bill, the member from York South-Weston, was playing politics. I urge all members in this House who have been sitting here and listening, and those who did not hear the member's initial speech, to ask their colleagues what he said. He is not playing politics with this. He is saying we need to make an amendment, all right? Whether or not the members here want to call it a process fee, as it has been described, or a head tax, we can all make intellectual arguments until the cows come home. Fewer processing fees create jobs. Read my lips: no more processing fees.

In all seriousness, the families of Ontario see this as a head tax. If it walks like a duck and it talks like a duck, it's a duck. This is a head tax. That's how it's perceived by Ontarians.

That's how it's perceived by a constituent in my riding, Erica Kerr, who brought this issue to my attention. She came to my office in March this year and told me there was a \$925 head tax on the child she wanted to adopt from China. She told me that if you adopt domestically, there is no head tax. Interestingly, she told me that if you adopt from Korea or Haiti, there is no head tax, as the result of other legislation.

I'm not suggesting for a moment that we adopt a head tax for those countries. It doesn't make any sense that the Canadian baby, the Haitian baby or the Korean baby is not subject to the head tax, but all other babies are. This doesn't make any sense, and we know that. A mistake has been made. We're not playing politics. We brought forward a private member's bill; this is the way we do it

in the Legislature. Obviously there's going to be a vote. It's going to send a message to the minister that it's time to get rid of this head tax.

Erica told me that she was willing to devote time and energy to this issue, but she told me that she was afraid to speak up because she didn't want to jeopardize the adoption. So we have to do that in this House, because many families feel they are silenced. They don't want to jeopardize the adoption from the foreign country. So now is the time for us to get rid of the head tax.

She has written the minister a number of times. She addressed a number of things the member from Kitchener Centre raised. Firstly, he said the cost should be passed on to the taxpayers. Well, the same point was raised by the minister. Obviously the member was reading from speaking points.

Here is what she wrote back to the minister on June 4: "You wrote that 'the taxpayers will be required to partially subsidize the process.'" Here is her response: "We adoptive families are taxpayers, Mr Baird! Exactly what part of the process are we, the taxpayers, subsidizing?"

The member from York South-Weston has already made the point that this processing fee is a myth. All the processing is paid for already by these parents through their adoption agencies. Sometimes they invest \$18,000 to \$20,000, sometimes \$20,000 in fertility treatments even before they walk down this path.

I wish I could go further and read through Ms Kerr's letter, but time is of the essence. Let me just say that we know young families in Ontario today are increasingly turning to adoption. I know this. I have adopted members in my family. When my brother was adopted in the early 1970s, it was very different from today. Younger families are waiting until later in their lives before they decide they want to have children. As a result, many find that they can't, so they turn to adoption. Not enough local adoptions? They turn to international adoptions. They need help from governments in building these families.

These families and these children are miracles. My brother and my niece are miracles. My niece was adopted from a foreign country. Mercifully, my sister and brother-in-law live in British Columbia, so they were not subjected to this head tax.

I say to members of the government: put it in neo-conservative terms if you wish and say you want to cut the tax and cut the red tape here, but I appeal to you as human beings, for goodness' sake. People see this as a head tax; let's get rid of it. Congratulations to the member from York South-Weston.

The Acting Speaker: Further debate?

Mr Garry J. Guzzo (Ottawa West-Nepean): In the few minutes—seconds—allowed me today, I just want to—

The Acting Speaker: It is a few seconds. In response, the member for York South-Weston.

Mr Cordiano: I want to thank all the members who participated in this debate, and I want to remind the members of the governing side particularly—the back-

benchers, if you will—that they have truly an extraordinary opportunity here to do the right thing.

The Minister of Community and Social Services is present in this chamber at the present time. He will recognize that we will eliminate the power of the director to impose this fee, and that's why this amendment is called for. If we do the right thing, we will be granting adoptive families a real benefit and, more importantly, we will be honouring them and honouring all Ontarians by stating very clearly, symbolically, that we are very supportive of the formation and creation of families in this province and, whether they come from foreign countries or they're adopted in Ontario, we do not make any distinction. We are not going to discriminate against those families by imposing an odious head tax on the children of those families.

Members, let's stand up today and do the right thing. There are few opportunities in this House to act honourably by doing the right thing. We are all honourable members in this House, but there are few occasions when we can rise above the partisanship of this House. I implore you to understand that this is not a partisan issue. We will be doing those families a great justice by doing the right thing and supporting this bill I have brought forward.

Thank you, Mr Speaker, and again, thanks to all those members who participated.

The Acting Speaker: The time allotted for ballot item 36 is now over.

SAFE DRINKING WATER ACT, 2000

LOI DE 2000 SUR L'EAU POTABLE SAINTE

The Acting Speaker (Mr Michael A. Brown): We will now revert to ballot item number 35.

Ms Churley has moved second reading of Bill 96, An Act to restore public confidence in the quality of drinking water in Ontario. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

INTERCOUNTRY ADOPTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR L'ADOPTION INTERNATIONALE

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 36.

Mr Cordiano has moved second reading of Bill 116, An Act to amend the Intercountry Adoption Act, 1998. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will call in the members first for ballot item number 35, second reading of Bill 96. This will be a five-minute bell.

The division bells rang from 1201 to 1206.

SAFE DRINKING WATER ACT, 2000

LOI DE 2000 SUR L'EAU POTABLE SAINTE

The Acting Speaker (Mr Michael A. Brown): Ms Churley has moved second reading of Bill 96. All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic	Galt, Doug	Newman, Dan
Arnott, Ted	Gerretsen, John	O'Toole, John
Baird, John R.	Gilchrist, Steve	Ouellette, Jerry J.
Barrett, Toby	Gill, Raminder	Palladini, Al
Bartolucci, Rick	Gravelle, Michael	Patten, Richard
Bisson, Gilles	Guzzo, Garry J.	Peters, Steve
Bountrogianni, Marie	Hampton, Howard	Phillips, Gerry
Boyer, Claudette	Hardeman, Ernie	Pupatello, Sandra
Bradley, James J.	Hodgson, Chris	Runciman, Robert W.
Bryant, Michael	Jackson, Cameron	Ruprecht, Tony
Caplan, David	Johns, Helen	Sampson, Rob
Christopherson, David	Johnson, Bert	Sergio, Mario
Chudleigh, Ted	Kees, Frank	Smitherman, George
Churley, Marilyn	Kormos, Peter	Snobelen, John
Clark, Brad	Kwinter, Monte	Spina, Joseph
Coburn, Brian	Lankin, Frances	Sterling, Norman W.
Colle, Mike	Levac, David	Stewart, R. Gary
Conway, Sean G.	Marchese, Rosario	Tascona, Joseph N.
Cordiano, Joseph	Marland, Margaret	Tilson, David
Cunningham, Dianne	Martel, Shelley	Tsubouchi, David H.
Curling, Alvin	Martin, Tony	Turnbull, David
DeFania, Carl	Martiniuk, Gerry	Wettlaufer, Wayne
Di Cocco, Caroline	Maves, Bart	Wilson, Jim
Dombrowsky, Leona	Mazzilli, Frank	Witmer, Elizabeth
Duncan, Dwight	McLeod, Lyn	Wood, Bob
Dunlop, Garfield	Molinari, Tina R.	Young, David
Ecker, Janet	Munro, Julia	
Elliott, Brenda	Mushinski, Marilyn	

The Acting Speaker: All those opposed will please stand and remain standing until their name is called.

Nays

Hastings, John

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 82; the nays are one.

The Acting Speaker: I declare this motion carried.

Pursuant to standing order 96, this bill will be referred to the committee of the whole House.

Ms Marilyn Churley (Toronto-Danforth): Mr Speaker, here's the real test for government members. I direct it to the general government committee for public hearings.

The Acting Speaker: Ms Churley has requested that this be referred to the standing committee on general government.

All those in favour will please stand and remain standing until you're counted.

All those opposed will please stand.

You may be seated.

The ayes being 35, the nays being 48, a majority is not in favour, so pursuant to standing order 96, this bill is referred to the committee of the whole House.

We will now open the doors for 30 seconds to permit members to come in and go out.

INTERCOUNTRY ADOPTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR L'ADOPTION INTERNATIONALE

The Acting Speaker (Mr Michael A. Brown): Mr Cordiano has moved second reading of Bill 116. All those in favour will please stand.

Ayes

Agostino, Dominic	Curling, Alvin
Arnott, Ted	DeFaria, Carl
Bartolucci, Rick	Di Cocco, Caroline
Bisson, Gilles	Dombrowsky, Leona
Bountrogianni, Marie	Duncan, Dwight
Boyer, Claudette	Gerretsen, John
Bradley, James J.	Gravelle, Michael
Bryant, Michael	Guzzo, Garry J.
Caplan, David	Hampton, Howard
Christopherson, David	Klees, Frank
Churley, Marilyn	Kormos, Peter
Clark, Brad	Kwinter, Monte
Colle, Mike	Lankin, Frances
Conway, Sean G.	Levac, David
Cordiano, Joseph	Marchese, Rosario
Cunningham, Dianne	Marland, Margaret

The Acting Speaker: All those opposed will please rise.

Nays

Baird, John R.	Jackson, Cameron	Spina, Joseph
Barrett, Toby	Johns, Helen	Sterling, Norman W.
Chudleigh, Ted	Johnson, Bert	Stewart, R. Gary
Coburn, Brian	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Galt, Doug	Munro, Julia	Wettlaufer, Wayne
Gilchrist, Steve	Newman, Dan	Wilson, Jim
Gill, Raminder	Ouellette, Jerry J.	Wood, Bob
Hardeman, Ernie	Runciman, Robert W.	Young, David
Hastings, John	Sampson, Rob	
Hodgson, Chris	Snobelen, John	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 37.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

Mr Joseph Cordiano (York South-Weston): I'd like to refer the bill to the standing committee on justice and social policy.

The Acting Speaker: Mr Cordiano has asked that the bill be referred to the standing committee on justice and social policy.

All those in favour of Mr Cordiano's request will please stand.

You may be seated.

All those opposed will please stand.

You may be seated.

A majority is not in favour. This bill will be referred to the committee of the whole House.

All matters relating to private members' public business now being complete, the House will recess until 1:30 of the clock.

The House recessed from 1218 to 1330.

MEMBERS' STATEMENTS

HOSPITAL FUNDING

Mr Rick Bartolucci (Sudbury): The Minister of Health has abandoned her responsibility to the Sudbury Regional Hospital, and today I stand here to insist that she honour her commitment made to my community.

Minister, let me bring to your attention the desperate plight of the Sudbury Regional Hospital administrators, who, despite their very valiant attempt, can no longer make do with your negligent underfunding policies. Our hospital's deficit for this fiscal year has ballooned from \$10 million to \$15 million due to your restructuring costs. Our hospital is not alone; hospitals across this province are bleeding deficits because of your negligent policies. Add to this our operating deficit since 1997, and this presents a \$30-million deficit.

It doesn't end there. This spring our hospital announced a severe physician shortage, to the point that operating basic emergency room services came into question. You and your ministry turned your backs on our community, and in a desperate 11th-hour move our hospital had to commit \$6 million to keep doctors in Sudbury, bringing the deficit to \$36 million.

Minister, you committed to covering 85% of our restructuring costs. To date you owe our hospital \$10.6 million. This debt has been ongoing for three years. The fact is, you don't pay your debts and you don't live up to your commitments.

My constituents want quality health care in a quality hospital for a quality community. Today they want some quality from you and your Premier.

KYLE PETTEY

Mr Doug Galt (Northumberland): I rise in the House today to extend best wishes and good luck to Kyle Pettey, a world-class athlete and resident of Northumberland.

Kyle's story is nothing new to members of this Legislature. When I last brought this outstanding young man to your attention, he had just set a new world record in the discus competition. Kyle, his friends and his family were keeping their fingers crossed that he would soon

qualify for the Canadian Paralympics team. I'm pleased to announce today that on Monday, Kyle will be leaving for Australia, representing Canada at the year 2000 Paralympics. Kyle's pursuit of an Olympic dream is now a reality.

Despite being diagnosed with cerebral palsy and breaking his back in a farming accident, Kyle has become one of Canada's top amateur athletes. I admire Kyle's tenacity, hard work and dedication, as they have earned him the honour of being the Canadian record holder in the javelin, shot put and discus competitions. He is ranked among the top 10 in the entire world.

Mr Speaker, I know that you join with me in extending our best wishes to Kyle as he competes in Australia. To Kyle, his coach John Potts, and his family, may outstanding success be the least that you achieve.

WASTE MANAGEMENT

Mr David Ramsay (Timiskaming-Cochrane): I am going to basically applaud a newspaper that's not in my riding but from the riding of Ernie Parsons from Prince Edward-Hastings county. The Belleville Intelligencer today did a two-page, in-depth study on Waste Management Inc of the United States, highlighting all the criminal and environmental convictions that company has had in the United States that total over \$300 million in fines, not only EPA fines in the United States, but also crimes including wire tapping.

That is the type of corporate culture we have in waste management in the United States, and this is the very company—its Canadian subsidiary—that is expanding landfills in Ontario. They are the ones who will take over if Toronto signs a contract with the Adams mine consortium—we'll have to see about that—and also Napanee; they're trying to expand the landfill there to take garbage. They have landfills all over. I think our Ministry of the Environment must be on guard against companies such as this invading our province of Ontario.

I say to the Minister of the Environment, because the environmental assessment for the Napanee site has not been completed, that the ministry should be giving full due diligence toward the parent company of Canadian Waste Management to make sure that any landfills in this province that are sited are managed by responsible and environmentally caring companies.

LABOUR DISPUTE

Mr Peter Kormos (Niagara Centre): The staff of the Canadian Mental Health Association perform an incredibly important role in all of our communities. Down in Niagara South, the 16 staff persons work on a daily basis with some of the most vulnerable people in our community, people who have been released from psychiatric hospitals, people who suffer disabilities and ailments, people who are indeed members of our families, our sisters and brothers, our spouses, our parents, our children. The workers of the Canadian Mental Health

Association are diligent, professional and committed in their work with these incredibly vulnerable people.

The workers at the Canadian Mental Health Association in south Niagara over two years ago exercised their right to form a collective bargaining unit, CUPE local 1287. In over 26 months, they still don't have a first contract, and they've been forced out on strike with no return to the negotiating table by their employer, the board and the executive director of the Canadian Mental Health Association, Niagara south.

I was pleased to join these 16 workers last week where we spoke to the community about the plight the board is creating for these incredibly vulnerable people. I'm going to be joining them again tonight, along with Wayne Samuelson from the Ontario Federation of Labour and Sid Ryan. We want to impress upon the community how important it is for their employers to get back to the bargaining table and end this strike. It's a strike the workers don't want and the community doesn't need. It's up to the board to end it.

RED CROSS

Mrs Julia Munro (York North): I rise today to pay tribute to an international organization that plays an important role in all our communities. The Red Cross is celebrating 100 years of helping others. Ever since Swiss businessman Henri Dunant initiated services of the Red Cross Society in 1859 to help the injured on the battlefield of Solferino, the vivid Red Cross emblem has grown to be a universal symbol for help and humanity. The International Red Cross and Red Crescent movement is alive in 165 countries.

In York region, the Red Cross will be celebrating its 100th anniversary, saluting its many volunteers and workers who make the programs a success. Ildiko Luxembeerger of Newmarket, a nurse who has volunteered since 1992, has spent time in Puerto Rico helping residents rebuild their lives after the devastation of Hurricane Georges. Donna Chanda of Newmarket is working as a project leader at an orthopaedic centre providing prosthetics to landmine victims in Tajikistan, one of five former Soviet republics that has been besieged by years of civil war. The region of York has the strongest youth representation for the Red Cross in Ontario.

Although the Red Cross promotion of a humane bond has still not stopped war and other tragedies from occurring, knowing there is never a shortage of caring, devoted workers to lend a helping hand gives hope for a better future.

AGRICULTURAL FUNDING

Mr Steve Peters (Elgin-Middlesex-London): It was with great interest that I listened to the Premier's fall action plan. "More to do to keep Ontario strong" is the supposed basis of this government's agenda. I would suggest that Mr Harris get his head out of the office

towers of Bay Street and realize what is happening in rural Ontario and to the agricultural industry in this province. What Mike Harris and his government fail to realize is that agriculture and Ontario farmers have been left behind as the rest of the Ontario economy moves forward.

If Mike Harris and his Common Sense Revolutionaries were truly committed to a "strong economic plan and a vision for a prosperous Ontario," they would realize that you cannot ignore the economic impact of agriculture to this province's economy. Agriculture is the second-largest industry in this province. The agri-food sector contributes \$24.4 billion to Ontario's GDP and employs nearly 682,000 people.

This government has failed to realize that our farmers have faced one of the worst years ever: unprecedented rainfall, countless acres left unseeded and commodity prices that continue to fall. The farmers of this province can compete with anyone in the world if they have a level playing field. They cannot compete with the treasuries of the European Union, the United States, or Quebec for that matter. Farmers across this province spoke loudly and clearly in public meetings throughout August. Did Mike Harris and his government listen? Did they even hear the voice of rural Ontario? Our agricultural industry is in crisis. The time for action, Premier, is now.

LIBERAL PARTY

Ms Marilyn Mushinski (Scarborough Centre): As the new school year moves forward, students in about two dozen schools are actually being greeted with the smiling face of a Liberal MPP. The Liberal leader issued a challenge to members to return to the classroom to see what a day in the life of student is like. Perhaps Liberal members should spend a day on a workfare placement to see what that is like. Perhaps Liberal MPPs should spend a day with our hard-working police officers to learn about the challenges they face.

1340

The reality is, while we need to interact with our constituents, what we really need to do is to listen to them and to act. This Liberal stunt is meant to distract Ontarians from the reality that the Liberal leader still has no policies and no vision for Ontario—truly a triumph of process over substance.

You know what the member for Ottawa South's hometown paper, the Ottawa Citizen, called his idea? "Grade A loopy." Sounds about right to me. Our students, all Ontarians, need no Liberal media stunts in our children's classrooms. The Liberal leader obviously just doesn't get it.

BREAST CANCER

Mrs Lyn McLeod (Thunder Bay-Atikokan): On Sunday thousands of people will join in the Run for the Cure, to raise money against breast cancer.

It's time for the Ontario government to step up its part in that fight. It is a tragic, unacceptable fact that the mortality rates for breast cancer are higher in Ontario than in seven other provinces and 45 states. There is no excuse for that.

If we want to understand why more women die of breast cancer in Ontario, we might start with the intolerable fact that many women in this province are waiting as long as seven months for radiation treatment. Seven months—when the recommended time for treatment is within four weeks.

This is a crisis with no short-term solution, other than to send more and more people away from home to get the treatment they need. It is a disaster that could have been prevented, and the tragic reality is that unless the government acts quickly to put more staff and resources in place for the future, there will be even more cancer patients sitting on waiting lists for agonizing lengths of time.

If we want to start reducing the death rate from breast cancer, we need to give women access to treatment much sooner. We also need more effective screening programs. The Harris government could begin by requiring that all mammography machines meet accreditation standards. The women of the Liberal caucus asked for this six months ago. We've had no response at all from the Minister of Health. Some 60% of mammography machines in Ontario are not accredited. Surely there's enough money in the budget of the province of Ontario to make sure that women can at least get an accurate diagnosis. Surely the minister cares enough to at least respond to our concerns.

All those who join in the Run for the Cure on Sunday will be there because they care. Let the Ontario government show that it too cares.

CARE FOR KIDS

Mrs Tina R. Molinari (Thornhill): It's an honour for me to rise today in this House to tell you about Care for Kids, Toronto, a fully registered charitable organization founded by Sonny Goldstein, who is a constituent in my riding of Thornhill.

As we all know, the threat of losing a child from a life-threatening illness or the untimely death of a child is one of the hardest moments in a family's life. Care for Kids, Toronto, helps to make this journey a little easier. Care for Kids was established to provide additional assistance to the palliative care program of Sick Children's Hospital that is so capably headed by Maria Martin, the palliative care coordinator at the hospital. Through their generous fundraising campaign, Care for Kids is able to provide that extra assistance to families who require nursing support at home, life-sustaining equipment, access to resources for emotional support, and support programs for siblings who have lost a brother or sister.

On behalf of the people of Thornhill, I would like to congratulate Sonny and Michelle Goldstein of Care for Kids, Toronto. They are to be truly commended for the

charitable foundation that they have established. I would like to wish them every success as they begin to plan for their fourth annual fundraising event in the year 2001.

Please join me in recognizing Sonny Goldstein, founder of Care for Kids, Toronto, who is with us in the Legislature today.

STATEMENTS BY THE MINISTRY AND RESPONSES

YOUNG OFFENDERS

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): The people of Ontario are concerned because the federal government is ramming through Bill C-3, the Youth Criminal Justice Act, its proposed replacement for the Young Offenders Act.

Ontario has asked the federal government repeatedly to give us the opportunity to present our concerns with this flawed legislation. These requests have been denied. The people of Ontario have been demanding real reform to the federal young offenders legislation for years. They want effective legislation. They want violent youth to be held—

Interjections.

The Speaker (Hon Gary Carr): Come to order, please. Attorney General.

Hon Mr Flaherty: The people of Ontario want effective legislation. They want violent youth to be held responsible for their crimes and face meaningful consequences. Instead, Ottawa is giving us the same book with a new cover.

In the new bill, as with the existing legislation, young people can commit adult crimes and not face adult consequences. There are no fundamental improvements over the existing Young Offenders Act. Bill C-3 will not increase jail sentences, it will not automatically try 16- and 17-year-olds as adults when they commit adult crimes, it will not require mandatory jail time for youth convicted of offences involving weapons, it will not guarantee that youth convicted of serious crimes such as murder will serve adult sentences, and it will still place the onus on the crown to move cases involving more serious violent offences to adult court.

The government of Ontario has voiced its objections to Ottawa time and time again. Ordinary citizens have voiced their objections as well. Petitions have been signed by thousands of Canadians, not only here in Ontario but in other provinces. Despite these protests, Ottawa is pushing ahead. This week the federal government has brought this legislation back to the House of Commons. The federal Minister of Justice may have introduced a number of amendments, but there are no significant changes that will add new protections to the public.

I am calling on Ottawa to hear the people of Ontario, especially the victims of crime, and sooner or later the

people will be heard. As I told the federal justice minister in Nunavut at the recent federal-provincial-territorial meeting, "If you're not prepared to make meaningful changes to this bill, then ultimately the voters will decide if you are right." This may be the last opportunity for the current federal government to give the proposed Youth Criminal Justice Act some teeth.

Therefore, the government of Ontario condemns the weakness of the current federal Young Offenders Act and urges that it be scrapped and replaced with a tough new law that holds young criminals accountable for their actions; rejects the changes proposed by federal Bill C-3 because they do not go far enough to address the concerns of law-abiding citizens but merely repackage the flawed, weak Young Offenders Act under a new name; particularly condemns the federal government's attempt, through its legislation, to shorten some jail sentences for crimes committed by young offenders; asks that 16- and 17-year-old persons charged with serious, adult-type offences should automatically be tried as adults; and demands that young people convicted of violent, adult-type crimes should be subject to adult-length sentences.

I call on all members to speak up on behalf of the people of Ontario and victims of crime. Unfortunately, I believe that it's going to take a change of government at the federal level before Ontario's concerns are addressed and meaningful legislation is introduced.

The Speaker: Responses?

Mr Michael Bryant (St Paul's): I thought it was bad enough that Tory MPPs would engage in infomercials for the NRA, but that a Tory minister would use this Legislature as an infomercial for Stockwell Day is a disgrace.

Well, well, here we go again: a government bankrupt of ideas when it comes to issues of safety of our streets, a government bankrupt of ideas in terms of a mandate to fulfill for their constituents. "Nothing else to do? What'll we do? Let's bash the feds," they say. "That'll work; that'll get us some help."

1350

Here's the problem: I'm a member of the provincial Parliament. I'm proud to be a member of this Legislature. There are 103 of us here. We have an honour. We fill our seats. We try to do our best for our constituents, and we have a legislative jurisdiction. Yet this government would like to turn this Legislature into the farm team for our national federation. This ain't the farm team. We have business to do in this province. If you want to be the official opposition critic for justice, go right ahead.

I can't imagine greater hypocrisy when it comes to crime. Here the government has wanted the federal government to bring forth legislation. It's happening. OK. What is the government doing about crime in this province? We all know their first shot was the famous squeegee bill. What was more important to this government? Was it youth crime? Was it domestic violence? Was it organized crime or squeegees? We know the answer. The answer was squeegees.

Then, what we had for a year from this minister was that 80% of the time he stood up he would talk about either squeegees or the federal government. No substance, all talk, no action. What do we have here as we return back in September? Do we have the reinvigorated Common Sense Revolution that was promised by the Premier? No. What we have is more talk about other levels of government.

I'll tell you something. I'm not going to stand here and defend another level of government. I don't want the federal government and the provincial government to be fighting over crime. Let's start fighting against crime in this province.

Meanwhile, you want to talk about youth crime and this government's contribution to it. Let's talk about guns. This is the government that would put guns in the hands of 12-year-olds. This is the government which didn't think it was at all important to deal with the issue of imitation firearms. "No, no, no," said the Attorney General and the Solicitor General when an initiative was introduced by the official opposition, "dumbest thing I ever heard."

In any event, I'd like to say that there is so much more that we need to be doing in this province. Let's pass Bill 6, Rick Bartolucci's bill, because in this province we have young victims of prostitution every day in our streets infecting our society. There's something that the provincial Legislature could be doing instead of blaming the federal government.

Let's right now pass the phony gun bill instead of going through the political charade of rereading another bill that's already before us so that we can deal with an issue which—by the way, in addition to being a nightmare for victims and being a nightmare for victims of crime, BB guns and pellet guns are the number one cause of blinding in who? Youth.

If this government was serious about youth crime, would it continue to be a participant in a province which has the highest incarceration rate among youth in the western world? Obviously, that by itself is not enough. If you listen to the minister, you'd imagine that they had tried 500 times to have youth tried in adult court and failed because of the legislation. In fact, do you know how many times this minister had his prosecutors take a youth and transfer it over to adult court in 1998?

Mr David Caplan (Don Valley East): How many?

Mr Bryant: Try eight. This statement does not belong in a provincial Legislature.

The Speaker: Responses?

Mr Peter Kormos (Niagara Centre): The New Democrats have no qualms about criticizing the federal Liberals. But we're not going to be a party to a promotion of the new sheriff in town, one Mr Day, who has already revealed that Ottawa's a far cry, that being in the capital of Canada is a far cry from being the big fish in the small pond out in Alberta.

Let me put this to you, though: the Attorney General wants to talk about the Young Offenders Act, and we were eager to talk about the Young Offenders Act. He

introduced a resolution before the House shut down for the summer. During the course of debate, not a single Tory participant indicated any familiarity whatsoever with Bill C-3. Not one of them who participated in the debate—and you'll recall they became fewer and fewer as the debate progressed in rotation, fewer and fewer Conservative backbenchers wanted to engage in the debate around this resolution of criticism of Bill C-3 and the Young Offenders Act. The participants on the Tory back benches became fewer and fewer.

The Attorney General talks about people in Ontario being concerned. You bet your boots they're concerned. They're concerned about the fact that we've got fewer cops per capita in Ontario today than we had in 1994. That's a real concern to people in communities across this province who see response times being delayed beyond mere minutes and literally to hours, and you see fewer and fewer property crimes, especially, simply not being investigated.

It's of great concern to people across this province to see police forces, like the Niagara Regional Police force, engaged in fundraising activities like Option 4 because they're perpetually undefended by this government, which talks a big game about law and order but simply doesn't deliver, notwithstanding revenues that it brags are unprecedented in the last 10 years.

People are concerned about the fact that this Attorney General's mismanagement of our courts has resulted, over the course of the summer, in provincial offences courts being shut down for weeks at a time, including in the Hamilton region, score upon score, literally hundreds of serious driving offences being tossed out of court because this Attorney General can't administer his courts.

The people of Ontario are concerned about the crisis being generated in Toronto right now in the provincial offences courts vis-à-vis bail hearings. Bail hearings are being delayed week after week to the point where we're confident that justices of the peace, under-resourced, understaffed, are feeling compelled to process more and more bail hearings during a given period of time, inevitably resulting in judgment calls that are less than ideal and putting the community at great risk.

This Attorney General, regrettably or not, is not responsible for the Criminal Code of Canada. He's got to understand it is basic constitutional law that the Criminal Code of Canada, for better or worse, is the prerogative of the federal government.

Interjection.

Perhaps, as has been suggested, he should throw his hat into the ring. I would enjoy seeing him in a contest as an Alliance candidate, allying himself with Stockwell Day and taking his chances in an upcoming federal election.

But this Attorney General does have control over consequences for young people. The Attorney General's got a lot of nerve. It's been suggested that it's hypocrisy—I'm not going to engage in that sort of labelling because it would be unparliamentary for me to

call the Attorney General a hypocrite; I won't. But the facts speak for themselves. This Attorney General has control over the correctional portion of young offender processing and treatment. This Attorney General and his government have handed over young offender facilities to some of the wackiest, most irrelevant lack of programming seen anywhere in North America. This Attorney General is part of a government that is the author of Camp Getaway, where their solution to youth crime is to leave the door unlocked, leave the keys in the van, more than half a tank of gas and probably a few Canadian Tire bucks in the glovebox so they won't be put out when they have to replace the battery.

This Attorney General and his colleague the Minister of Correctional Services have been embarking on their process of privatization of corrections here in Ontario. They've abdicated any responsibility they could have had for ensuring adequate response to young offenders, for ensuring there are adequate programs, that there are real consequences and that the consequences have a rehabilitative component.

This Attorney General has de-staffed probation offices. He has de-staffed crown attorneys offices, with crown attorneys under increased pressure to plea bargain. This Attorney General administers a regime that has actually created quotas for plea bargains, where crown attorneys are gauged or assessed on the number of deals they resolve by way of plea bargain as compared to pursuing them through a complete trial so the crown attorney can seek the full and proper penalty or consequences for given criminal behaviour.

This Attorney General enjoys—relishes—the front page of the Toronto Sun when it reveals catastrophic crime with great consequences for the community, because it nurtures and feeds his campaign of fear, rather than acknowledging and accepting responsibilities for what he and his government can and ought to be doing with respect to youth crime and adult crime here in Ontario.

1400

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I rise on a point of order relating to standing orders 30(a), 31(a), 35, 36(a) and 37(c), and it has to do with the minister's statement today.

I'm appealing to you, first, on the basis of standing order 35(a), and if you'll permit me, I'll read that clause to you: "A minister of the crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed."

I realize that you ought not to be put into a position of making a determination with respect to the factual nature of a statement. Those sorts of things ought best to be left to the debates of this House. However, I have reviewed this statement and nowhere is there reference to legislation or provincial policy.

I should further state that under standing order 35(d), the only thing the government could hang its hat on in this statement is that it is somehow a statement of the

government's policy. If that's the case, standing order 35(d) requires, "After any policy statement the minister shall table a compendium of background information." No such compendium has been tabled here.

I suggest that this is nothing more than another form of heckling, and I would ask you to review this statement, sir, to see if it meets the tests set out in standing orders 35(a) and 35(d).

It is the opinion of the official opposition that this House has been used for what amounts to nothing more than a political statement that does not relate to any of the tests that are provided and have been agreed to by all sides of this House.

By way of conclusion, Mr Speaker, I should point out to you that this government routinely abuses the authority of the House and, quite frankly, you, in not doing ministerial statements related to major pieces of government information. The government, of course, doesn't want the opposition to have that five minutes to respond. Bill 23, the Ministry of Health and Long-Term Care Statute Law Amendment Act, is but one example of this abuse.

Mr Speaker, I ask you to review this statement in the context of the specific tests provided for in standing orders 35(a) and 35(d), and if you agree with the opposition that this rant we just heard from the Attorney General, which has nothing to do with provincial law, states no provincial policy we can discern—and even if it did, even if that case could be made, there was no compendium provided as called for in the standing orders—to please use the authority of your chair and your office to prevent this kind of absurd political hijacking of the Legislature and to apply to the government the same standards you apply to us, and if a minister attempts this kind of political stunt again, to name him and remove him from the House or apologize.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I've been here some time and, generally speaking, the opposition wants the government to come into this place during ministers' statements to state the position of the government, to state the position of policy, to state our views with regard to matters which concern us.

I must say to the member opposite that notwithstanding that the federal government has responsibility for criminal law, we have the responsibility for implementing it. Therefore, every decision which is made at the federal level impacts on the Attorney General when we have to implement it.

This point of order, in my view, is specious. It has no grounds. The minister has stated a very important position on a very important matter to the people of Ontario, and I am really aghast that the member opposite doesn't want to hear our position on this very important matter.

The Speaker: The member for Hamilton West on the same point of order.

Mr David Christopherson (Hamilton West): Thank you, Speaker. I would like to suggest to you that the point raised by my counterpart, the House leader for the official opposition, has great merit. The fact of the matter is that there is absolutely no initiative. There's not even a suggestion here that this is a policy outline that is being presented for the House to comment on so that something can go forward. It was meant for public consumption in terms of a political message but has nothing to do with any kind of direction.

I think the House leader of the official opposition makes an excellent point. Further, under (d), where is the compendium, where is the information? I think, on a technical basis only, there is merit in the argument.

Speaking to the point that the government House leader raises, how many times have we stood in our places and asked you, Speaker—knowing that your powers are somewhat limited—to try to do something to encourage, maybe force, the government ministers to announce major initiatives in this place rather than somewhere outside for the photo opportunity and not here where they're answerable to the people?

We're going in the wrong direction in this place. Every time we want a little more democracy, a little more transparency and a little more accountability, we end up with less. And when we want the ministers to come in and talk about policy, they don't. They come in and talk about political spin doctoring rather than dealing with issues of the day. Things are getting very murky. Democracy is what's losing here, Speaker, and we add our voice to that of the official opposition in asking you, urging you, imploring you, to please look at this as seriously as possible. We're getting further and further away from the fine traditions of this House.

The Speaker: The Attorney General on the same point of order.

Hon Mr Flaherty: In response to the criticism levelled by the opposition benches, I understand that they support the Young Offenders Act as it is, and I appreciate that.

Interjections.

Hon Mr Flaherty: But let me add that this is—

The Speaker: Order. The member has the floor. I'm listening to his point of order. I've said before, when we get into a debate, the members can heckle back and forth on the issue. I need to hear the point of order, and I will say, with all due respect to the House leader for the Liberal Party, the other side sat in silence and let him hear. It is not acceptable to me to sit and try to hear the other side, the other point of view, when members are heckling over the statements.

When we get into question period, I can understand disagreements, but when it comes to a point of order, I need to hear very clearly the points being made. I would ask all members' indulgence in being quiet so I can hear the Attorney General, who may want to clarify some points.

I will need to investigate about the attachments and so forth. He may have something to clarify, and I need to hear that. I would ask all members' kind indulgence.

Attorney General, if you can make the point fairly quickly.

Hon Mr Flaherty: This is the very week in the Legislature in which I introduced a bill that, if passed, would create a statutory Office for Victims of Crime. Surely the members opposite realize that our concern for victims of crime relates to young offenders.

The usual victims of youth violent crime, regrettably—and there's more and more of it, and there's more gang crime and there are more weapons being used—are other young people. That's the crucial relevance when one is dealing with young offenders.

Interjections.

Hon Mr Flaherty: Not only is it a concern, Speaker, to the—

Interjections.

The Speaker: I'm not going to sit here, when the point of order is raised by the Liberal Party, and have them heckle me now. I'm going to hear the point of order. Some could say that about the House leader of the Liberal Party, that he added some politics into it. That occasionally happens. But I am going to hear it in silence.

Hon Mr Flaherty: The concern for victims of crime is probably the most important change in the criminal justice system in the next 10 years. I know the opposition doesn't understand that. I know they don't understand the need to balance the rights of victims with the rights of accused persons.

The Speaker: I think I've got the point from you, Attorney General. I will read the statement. I will also investigate the circumstances of the statement going back and forth to ensure that they complied with the House.

Let me say this, though: there is plenty of opportunity for debate over a lot of these issues during debate without getting into points of order over circumstances like this. I appreciate and thank the member, the Liberal House leader, for raising this point of order and I will investigate the circumstances to make sure that they did in fact comply with the standing orders.

1410

Ms Marilyn Churley (Toronto-Danforth): Mr Speaker, on a point of order: In light of the fact that Bill 96, the Safe Drinking Water Act, passed second reading this morning, and in light of the fact that the government members refused to let it go to committee for public hearings, I would ask for unanimous consent to have the bill go to third reading for debate.

The Speaker: I'm afraid I heard some noes.

Mr Bryant: Mr Speaker on a point of order: I would like to seek unanimous consent for third reading immediately for Bill 67, given the Ontario government's new-found interest in youth violence.

The Speaker: I heard some noes.

ORAL QUESTIONS

SCHOOL TEACHERS

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Minister of Education. I have something to say to you on behalf of Ontario parents. We are, quite frankly, sick and tired of the bickering and infighting and the sabre-rattling and the advertising campaigns that have come to characterize public education in Ontario today on your watch.

We believe that our kids are entitled to nothing less than the very best education. Part of that means we need the best teachers. I can tell you as a parent of three kids in Ontario public high schools today, I want my kids' teachers to be nothing less than enthusiastic every single day in the classroom.

My question to you on behalf of Ontario parents is, why have you robbed our kids' teachers of their enthusiasm?

Hon Janet Ecker (Minister of Education): I would like to say to the honourable member that I couldn't agree more that we need the best teachers we can have for our students in Ontario. I'm very pleased to report to the honourable member, in case he had missed it, that we have some exceedingly excellent teachers out there in Ontario schools today, who are going above and beyond for their students on a daily basis.

For example, today we have teachers who are choosing to go above and beyond and provide extracurricular, co-instructional activities for our students that are very, very important for the quality of their education. They are choosing to do that because they care about the kids. Thousands of schools, thousands of teachers, are choosing to do that, and I think that says something wonderful about the quality of teachers that we indeed have in this province.

Mr McGuinty: Why don't you open your eyes to the fact that we have a serious morale problem today in Ontario public education? Parents want you to take responsibility for that. You may not recognize this, you may not understand this, but you set the tone in our schools in Ontario. You set the mood when it comes to what our teachers are feeling.

Again, as a parent, I want a teacher at the front of my kids' classrooms who is feeling good to be there, who's feeling proud to be a teacher today in Ontario, who wants to get up every morning, who wants to get into the classroom, who wants to be with students and who wants to participate in extracurricular activities. Again, why have you robbed my kids' teachers of their enthusiasm?

Hon Mrs Ecker: What has robbed our teachers of their enthusiasm is the constant refrain from some of our critics and some union leaders that every quality improvement this government does, every quality education reform that we promised the voters we would do, is turned into an attack on teachers; not by me, not by all of the hundreds and thousands of people who have

participated in making these changes, but by our critics and by the union leaders who say that implementing a new curriculum, implementing standardized testing, bringing in teacher testing, bringing in higher standards—everything, they say, is attacking teachers.

I am sick and tired of that kind of criticism. I think our teachers deserve better than what they have given. That's why we are going to continue to move forward with reforms that make our education system better for our kids and for the good teachers who are in that system.

Mr McGuinty: At some point in time it would be nice if the Minister of Education began to show a bit of that passion on behalf of Ontario's children. Put down the advertising guns, Minister. Let's establish a respectful dialogue between educators and government. It has been missing for five years, and our kids are paying the price.

Minister, I don't know if you have ever had the opportunity to participate in amateur sports or in coaching. But if you look at the best coaches, they don't undermine, they don't berate, they don't criticize and they don't take away the confidence of their players. They encourage, they celebrate excellence wherever they can find it and they champion it. You have failed to do that when it comes to Ontario teachers, and I say to you again that our kids are continuing to pay the price.

Frankly, parents don't give a damn about how we got here. All they know is that it's not working today. I'm asking you, on their behalf, what are you going to do to restore enthusiasm to our teachers so that our kids can get the very best education, which we happen to believe they are entitled to?

Hon Mrs Ecker: One of the first things I did as the new education minister was to sit down with all of our education partners, to be very clear about the promises and commitments we had made to the voters, the things we said we would do: carrying on with curriculum reform, bringing in a comprehensive teacher testing program, continuing with standardized testing, a code of conduct for safer classrooms. Those were the priorities we promised to voters. And I said to all those individuals, "Give me advice about how best to do them." I have a long list of changes, improvements and funding enhancements that we have made in response to that advice.

But if the honourable member is saying that if an education partner comes in the door and says to the elected government of the day, "We don't care what you promised the voters; we want you to get rid of that, to not do that"—Mr Speaker, we take the commitments we made to the people out there much more seriously than the honourable member obviously does.

INTENSIVE FARMING PRACTICES

Mr Dalton McGuinty (Leader of the Opposition): This question is to the Minister of Agriculture. Minister, we have a serious problem in Ontario today when it comes to our intensive farming operations. As you well know, there is a very real risk in the case of some of

those operations that manure is going to get into the underground water and end up inside taps, and people are going to become very sick or worse.

Mr Galt and Mr Barrett prepared a report, and we have discovered that there were, in fact, 24 prior versions of this report—24 versions of a report. At the beginning, these versions made it very clear that the province should take responsibility to regulate intensive farms. But in the final version that was released to the public, you have indicated that this responsibility should fall to our municipalities, our small cities, towns and hamlets, which don't have the resources and don't have the people and the expertise. You want to foist on to them the responsibility for making sure our water is protected against intensive farming practices.

Why did you do that?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I do want to acknowledge the report we have done, the extensive consultation we have done in the agricultural community to deal with the issue of nutrient management, to make sure our farming community does everything it can to deal properly with nutrient management so that it is used for growing our crops and prevented from getting into other areas where it doesn't belong.

As to how many or how extensively the panel dealt with the report, I'm not privy to that. On March 31, I received the report the member refers to. In fact, the items he is referring to in the report have again been put out for public consultation to make sure that what we come forward with will be in the best interests of the environment and of our agricultural community. Since the consultation, we have been working together with the Ministry of the Environment, the Ministry of Municipal Affairs and the agricultural community—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary?
1420

Mr McGuinty: Minister, if you're not familiar with the 24 drafts, I'll be pleased to provide you with a copy of them. It is remarkable, absolutely remarkable, to see the evolution in the approach that was ultimately recommended in your report. In draft 5 it says that factory farms "will require provincial approval"; in draft 8, they "might require provincial approval"; in draft 15, they "should require municipal approval with provincial assistance"; in draft 18, "all approvals will be at the municipal level."

We happen to believe that ultimate responsibility for protecting our drinking water in Ontario, whether it's from intensive farming practices or anything else, should fall to the provincial government of the day. Why is it that you want to foist this responsibility on to communities that are unable to look after this, like the community of Walkerton?

Hon Mr Hardeman: Again, I want to point out that the consultation process produced many different options. The panel reviewed all those options. In fact, they made a number of recommendations in the report

that I received, and we are reviewing that report. In fact, the main recommendations which are being referred to, we have again put them out for further consultation to make sure that the options presented and the opportunity presented will be fleshed out to make sure we're doing it in the best interests, along with the Ministry of the Environment, to make sure we are coming up with best possible solution to deal with the situation.

Mr McGuinty: Minister, why don't you come clean? You're not interested in more consultation. It's been made perfectly clear—24 drafts. Is this about intensive farming or is it about intensive drafting? You've made it perfectly clear that the fix is in. You and your government are not prepared to take final responsibility for protecting drinking water in the province of Ontario. You continue to fail to draw the single most important lesson that the Walkerton tragedy offers: our small communities, our hamlets, and our towns simply don't have the resources, they don't have the people, and they don't have the expertise to protect groundwater. That's your job. That's the job of the provincial government.

I am asking you once more, why is it that you've ignored the recommendations of people who made submissions to your committee and decided that the province is not going to take responsibility for protecting safe drinking water in Ontario?

Hon Mr Hardeman: I wish to point out that the report is recommendations to me after the committee received input from the public. No decision has been made yet as to what the final result will be or how the province intends to deal with the situation, but I can assure the member opposite that we need more information. We need to find out from all the participants, and the most appropriate way to deal with this matter—if the member opposite, as he seems to indicate, already knows the answer, maybe he would be willing to forward that to us and we will take that as part of the consultation. But I can tell you, we have not yet made a decision on how we are going to deal with the matter and we need to do more consultation. We need to make sure we find the best possible solution to be implemented so that we can deal with the farming community, the second largest industry in this province, in an effective manner, to make sure we protect the environment and make agriculture sustainable.

SAFE DRINKING WATER LEGISLATION

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. This morning you and your government voted to kill the NDP's Safe Drinking Water Act. The people of Ontario want to know why. Why did you do that?

Hon Dan Newman (Minister of the Environment): I thought it was private members' business this morning, that a private member was bringing forward a bill that she cared about. In fact, she spoke in her bill about testing and sampling and fines. She wanted to see a fine

of \$1 million. We want to see fines obviously go beyond that through the Ontario Water Resources Act.

She also spoke about public reporting and the need for an annual report. The fact of the matter is, we're going far beyond that. We have a requirement under our Ontario drinking water protection regulation that actually requires quarterly reports for municipalities and major waterworks in our province. In fact, October 30 is the due date of the first quarterly reports that will be needed in this province.

I don't think the issue really is whether this is legislation or a regulation. The real issue is, is there protection there for the people of Ontario in the environment? I believe our strong, new, tough drinking water protection regulation does just that.

Ms Churley: Minister, who do you think you're fooling? How dare you play these cheap, cynical political games after the deaths of six people in Walkerton. Dr Murray McQuigge, the medical officer of health in Walkerton, said your regulations won't work. Most of the environmental groups and experts across Ontario said that your regulations aren't worth the piece of paper they're printed on, that they won't work, that they would not have prevented Walkerton and will not prevent future Walkertons.

I am sick, and the people of Ontario are sick, of those cheap, cynical political games. I am asking you again, will you listen to the people of Ontario and the experts, do the right thing and support a comprehensive, real safe water drinking bill in this province?

Hon Mr Newman: The issue is protection of the people of Ontario, and that's what the drinking water protection regulation does. In fact, it came into effect on August 26 of this year. It provides for new standards for treatment, testing and sampling of Ontario's municipal water systems. It calls for mandatory qualification standards for waterworks operators. It also provides for tough new notification standards to the Ministry of the Environment, the medical officer of health, as well as the owner of the waterworks, whenever there is an adverse water sample discovered. As I mentioned, it does require full public disclosure of all testing results so that local residents can remain up to date on the status of their water.

The very things she's fighting for are already in place today. In fact, our 65-member SWAT team, which I announced last week, is going to be equipped with state-of-the-art technology to improve environmental enforcement. That also means looking after our water facilities in the province. Also, let's not forget that there is \$240 million through the OSTAR program so that smaller municipalities throughout Ontario can have access to upgrade their systems.

Ms Churley: Minister, you insult the people and diminish the tragedy in Walkerton with your tiny list of half measures. When are you going to start listening to the people of Ontario? The Toronto Environmental Alliance said, "In our view, the new regulation does not displace the need for special drinking water legislation in

Ontario." All of the experts are saying you need comprehensive legislation. You kill the water protection fund and then you dribble out dollars for treatment plants and filtration systems when we know a flood of investment is needed. You fire 900 environmental inspectors, front-line people and scientists and then you hire back 65 on a part-time, short-term basis.

Minister, what you did today was cynical. You voted for the bill and then you voted to keep it from going for public hearings. I am asking you again, will you bring forward the Safe Drinking Water Act that got full support in this Legislature today for public hearings so that the people can have their say?

Hon Mr Newman: I take the issue in Walkerton very seriously, as do all members on this side of the House. I want to tell you that my colleagues and I have been to Walkerton to do everything possible for the people of Walkerton. We're continuing to work here at Queen's Park with that new regulation I spoke about that does provide protection for the people of Ontario.

To have the member opposite say we have not taken any real measures is absolutely false. I've outlined the new drinking water protection regulation. She now calls \$240 million a dribble. I don't know where the member opposite is coming from. These are real dollars going to real communities in Ontario to help them upgrade their water systems. This is very important. We already have that protection in place with the tough new drinking water protection regulation.

1430

WASTE MANAGEMENT

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. Minister, despite what you did this morning, I'm going to give you another chance to at least do the right thing about Toronto's garbage. I don't know if you've heard this, but this morning the negotiations between Rail Cycle North and the city of Toronto broke down and there will be no contract for city council to vote on next week.

In light of this news and the news we gave you yesterday about the dangers of this project and, unless you deny it, the fact that the proponents don't even have a permit to take water that is required for the daily draining of contaminated water from the pit for years and years, I'm going to ask you, with all the evidence before us and now that the deal has broken down, will you do the right thing and commit to banning organics from landfills so that Toronto and all of us can put the era of mega-landfills behind us and move to more responsible waste management?

Hon Dan Newman (Minister of the Environment): The Premier asked the leader of the third party and he asked the Leader of the Opposition on Monday what their plan was for Toronto's garbage, and we still haven't had an answer from either of the opposition parties.

With respect to the Adams mine landfill site, I want to remind everyone that there was a full environmental

assessment that took place in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system to ensure that the groundwater contamination could be prevented. There were hearings that lasted for six months, and the board actually attached 26 conditions to that plan. There was a certificate of approval issued after further technical analysis of the project and with it the certificate carried 66 conditions that had to be met. There were also eight independent peer reviews that carefully analyzed the details of the plan, and those reviews were submitted to the Environmental Assessment Board.

Ms Churley: Minister, when are you going to realize that the Adams mine deal is doomed and start taking some real action on the 3Rs? They can't even agree on a contract to vote on right now, and even if they did, they don't have the permit to take the water.

It is over. Don't you get it? There's got to be another way, and there is another way. The Waste Diversion Organization told you to ban organics from landfills. There is all kinds of new and emerging technology to treat the waste that's left over. We believe that we should be taking care of our waste in the GTA and we should be moving aggressively on composting and keeping organics out.

Minister, you have it in your power to take leadership and help Toronto move in that direction. The Adams mine deal has floundered again and it is not going to happen. Will you commit today to composting, getting the organics out of the waste stream and putting the money where it's needed to make that happen?

Hon Mr Newman: The Waste Diversion Organization did indeed submit its final report to me on September 1. My staff and I are reviewing that report, and we'll be making a response to the people at the Waste Diversion Organization, whom I want to commend for all the hard work and effort and time that they put forward to produce that report—a lot of time spent as a result of many people's efforts there to produce that report.

To be lectured here by the NDP when it comes to waste management is quite funny. In fact, I want to bring to her attention the Lindsay-Ops landfill site, that in 1991 they exempted the Lindsay-Ops expansion from an environmental assessment. I have pages and pages—

Interjections.

Ms Churley: You lied to the people of Lindsay, and you want to talk about Lindsay-Ops. You're a bunch of hypocrites.

The Speaker: Order. The member will come to order. She will need to withdraw that.

Ms Churley: No, Mr Speaker, I will not withdraw it, because I mean every word of it. You—

The Speaker: Take your seat. Order. I have no alternative but to name the member and ask the member, Marilyn Churley, to withdraw from the chamber.

Ms Churley was escorted from the chamber.

The Speaker: It is time for a new question.

LONG-TERM CARE

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Health. Yesterday, the minister seemed, by all accounts, baffled and finding it quite a mystery as to why we were having such an overcrowding in our emergency rooms.

Minister, my question is this: why is it that all of the professionals acknowledge that one of the most significant reasons is the lack of new long-term-care beds in the system in Ontario? Please explain to the House today why, after five and a half years of your government, we have not one new bed for long-term care in Ontario.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I would be pleased to respond. As the member well knows, and if she doesn't I would just remind her, it was her government in 1988 that made the decision not to award any more long-term-care beds. The NDP continued the policy. It was not until our government introduced a plan in 1998 and invested \$1.2 million that we now have a long-term-care strategy to build 20,000 beds in this province.

We originally made a commitment that they would be built in eight years, but I am pleased to say we have expedited the timelines and they will all be ready by the year 2004 instead of 2006.

Mrs Pupatello: What all of Ontario would appreciate is that our Minister of Health would actually work in this current century. What's more important is that right now in Ontario there are 2,500 patients who are sitting in hospital beds who are waiting for long-term-care beds, almost 2,500 people. That's why we have such overcrowding in our emergency rooms—one major reason.

My question is still the same: how, after five and a half years, do we not have one new bed, when you appear to make announcement after announcement after announcement and yet not one new bed in Ontario? We could appreciate that you would've said that answer after year one; maybe after year two; potentially after year three. But Minister, you have been there, that party in government, for over five years. Surely, Minister, this is not too baffling and too much of a mystery. Why have you not one new long-term-care bed after five and a half years?

Hon Mrs Witmer: The first thing the member should do is probably check her facts, because we do have beds that are up and operating.

Secondly, the member needs to appreciate that if they had continued to build beds and if the NDP had built beds, we would have beds opening on an ongoing basis. As it is, our timelines are two years faster than we had originally predicted. We were the ones who had a solution for the emergency room pressures. You talked about the problems; we have a comprehensive strategy. We realize that we need to expand our emergency rooms, and we have 57 new emergency rooms being built. We

realize that we need long-term-care beds, and we have 20,000 beds that will be opened by 2004.

Again, I would remind the member, please check your facts, because there are beds that have already been opened.

CORRECTIONAL FACILITIES

Mr Garfield Dunlop (Simcoe North): I'd like to thank the Minister of Health for coming to Hillcrest Village in Midland to open a 100-unit facility back in August. I guess Midland isn't in Ontario.

My question today is for the Minister of Correctional Services. Minister, Ontarians and indeed all Canadians were sickened to see pictures of Karla Homolka in the newspapers, living the high life at a federal medium-security prison in Joliette, Quebec, referred to by many as Club Fed. Apparently, even prisoners refer to this so-called detention centre as the Love Shack. I believe Club Fed is the location where murderers of Metro Police Officer Hancock were sent by the federal corrections department until they were shamed into moving them to a higher-security facility.

Minister, can you reassure this House that your transformation of the Ontario correctional system will not include the country club atmosphere that exists in our federal system?

1440

Hon Rob Sampson (Minister of Correctional Services): I'm very pleased to respond to the member, and I actually hope to hear more, perhaps, about that home care facility that was opened up in his riding. It would be nice to hear a little bit more about that.

But I do indeed want to speak to the issue of the correctional facilities that are operated by the federal Liberals and the way in which they believe that that particular facility should pamper criminals. I want to assure the member and I want to assure those opposite, who I know don't believe in our view of corrections, that we in fact believe we should have a correctional system in this province that's accountable, safe and secure, but no frills, and publicly accountable. You see, we, unlike Liberals, don't believe in the evening gown approach to corrections. We believe that corrections should be a form of punishment and rehabilitation together. To throw the balance completely in the form of "rehabilitation," in the pictures that we saw in the paper not too long ago, and I should say not for the first time, I believe is an insult to Ontarians and an insult to the victims of those very serious, heinous crimes.

Mr Dunlop: Thank you very much, Minister, and I might inform you that if you're interested in long-term care beds, there's another facility opening in March in Orillia, at Leacock Point, 112 beds.

I thank you for reassuring this House that in Ontario's correctional system, offenders will wear prison clothing, not evening formal wear. Still, I am upset to read that all federal prisoners, including the high-profile offender Karla Homolka, are eligible for statutory release.

Interjection.

The Speaker: Will the member take his seat. This is the last warning to the member for Elgin-Middlesex-London. If he continues with that, he will also be named.

Mr Dunlop: I am aware this remains the federal Liberal policy, that discounts one third off the sentence that a criminal receives before that offender has even entered the prison gates. Does this policy exist in Ontario's correctional system?

Hon Mr Sampson: Unfortunately, we have been campaigning aggressively to encourage the Liberals to change their view about the discount law in this province and this country, a discount law that is established and governed by federal legislation. Liberals believe that if you're sentenced to 12 years, that only means eight. That's what Liberals believe. Unfortunately, most of the people in this province believe that a 12-year sentence should mean 12 years. We've been campaigning aggressively to encourage the Liberals to change their view of corrections, to change their view of sentencing, to change their view of the tremendous insult that they are applying to victims of crime in this province by not enforcing the full length of sentences in all correctional facilities across this country.

I want to say to the member that we'll do our best to make sure that when we reform Ontario corrections, we will have a facility that will deal with crime, deal with criminals, and deal with criminals who are prepared to and should serve their full sentence in Ontario correctional facilities. The time that has been allocated by law should be served.

GTA TRANSPORTATION

Mr George Smitherman (Toronto Centre-Rose-dale): I have a question for the Minister of Transportation, or the minister of gridlock, as he's increasingly known in the greater Toronto area. Ontario Liberals believe that the provincial government has a role to play in supporting public transit in the greater Toronto area. We've launched an initiative, GTAGridlock.com, and we have a Web site related to it and cards are being sent back. I want to read from one from Joanne in Mississauga, who says, "Approximately 3.5 hours of my day are spent in my car, commuting from Mississauga. I leave my home at 7:30 ... and I get home at 6:30 or 7. There's not much time left of the day (or night) to spend with my children. Evening programs for the children are avoided because the offered times are far too early for commuting parents."

Mr Minister, what is your solution to get Joanne home to her family earlier?

Hon David Turnbull (Minister of Transportation): This is a tremendously important question. I think we've got to understand the circumstances around where we are today.

When your party was the government of Ontario, you starved investment in the highways of this province. We have record investment in this province and indeed we

are spending money at record amounts in the GTA. In the GTA alone this year, we are investing \$200 million, far and away more money than you ever spent on this in all the years you were in government.

With respect to transit, during local services realignment, one of the specific agreements that were made with the AMO was that as part of the uploading of the cost of education to the province, municipal transit would be an exclusive area for—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary?

Mr Smitherman: I find it interesting that the minister mentions the AMO. I hope that soon Ann Mulvale, the new president of the AMO, will get hold of this minister, because he needs to understand that if you live in the south part of Halton region or the south part of Peel region, the capacity to build highways is awfully limited. Perhaps when we tear down the Gardiner, the minister will be seeking to have it stacked on top of the QEW through Mississauga and Halton.

Joanne didn't just write about the challenges of her commuting time. She wrote about the challenges of using a public transit system that is increasingly busy: "Three years ago, before I decided to drive in, I was paying \$2,200/year ... for GO train and TTC—most of it was GO train. The services declined, while ridership increased, meaning that there weren't enough trains or seats to accommodate everyone. I'm sure the cost has escalated.... It is becoming impossible to find parking at the station—even as early as 7:30 am."

Minister, will you abandon your solution of roads only and recognize once and for all that investments in transit are essential to eliminate gridlock in the greater Toronto area?

Hon Mr Turnbull: We have clearly signalled, with respect to the tax room we created through local services realignment, some \$2.5 billion in this province, that if municipalities are not in agreement with that arrangement they can come back to us and tell us what arrangement they want to make; however, it has to be revenue-neutral. They've got the benefit of the uploading of the cost of property taxes from residential for education. If they now want to renegotiate that, let them come back with a proposal. We have already signalled that to this date, but they have not come back with any proposal which is revenue-neutral.

However, during our term in office, we have transferred \$829 million to the TTC and \$106.5 million to GO Transit. We have put our money where our mouth is, unlike—

The Speaker: Order. The minister's time is up. The member for Durham.

Interjections.

Mr R. Gary Stewart (Peterborough): Mr Speaker, I get to ask the odd question ahead of the member from Durham. My God, we've got to be proud of the decorum in this House, eh?

POST-SECONDARY EDUCATION FUNDING

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Training, Colleges and Universities. Like all members of the government party, I believe it is essential that taxpayers get value for their dollar. That's why I took particular notice of your announcement of the Investing in Students Task Force to examine the post-secondary education sector. Getting the most efficient service and highest quality from our post-secondary institutions is vital to the long-term health of the system. My constituents, especially those with children now in secondary school, would like to know about our government's plan to ensure that the system remains healthy in a time of growing demand and changing need.

1450

This is of interest to me because of Trent University and Sir Sandford Fleming College, both fine facilities located in my riding. Would you please tell the House about the mandate of the task force and the kinds of questions that will be asked—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up. Order. Take a seat.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I'm pleased, of course, to respond to my colleague the member from Peterborough.

The Speaker: Take a seat.

The member isn't helpful making gestures like that. There are going to be situations, and with all due respect to the member, the heckling that was going on was my fault. I recognized the wrong person. There was some laughing as a result and, as you know, the member for Durham asks a lot of questions. The heckling that was going on was friendly and it was actually rather humorous with laughing over my mistake. It wasn't all that loud. This place is not going to be like a church. It's not going to be totally silent in here. In circumstances like that, when you yell across—quite frankly, it was already quiet, and then you yelled across and it started up.

I will deal with it in here and I would appreciate it if all the members would recognize that. It isn't helpful when you start shouting across for quiet. It is not going to be totally silent in here when you're asking some of the questions.

Hon Mrs Cunningham: I'd be happy to respond to the question from my colleague from Peterborough. We did, indeed, announce an Investing in Students Task Force for the post-secondary sector. This task force will be looking into the ways that our students will continue to have access to a high-quality post-secondary education.

As you know, this is a time of considerable growth and a time of excitement, and I will say that we're enthusiastic because we know that we have to make sure our public funds are spent well, are spent efficiently and, above all, that we retain and maintain the high quality of education of our post-secondary institutions.

The task force will consult with students, faculty, institutions, staff associations, the business community to look for great examples in other jurisdictions and in our own and to share this information and make recommendations back to the government.

Mr Stewart: I'm glad that our government's efforts to deliver accountability in Ontario will continue. As you know, colleges and universities play a role in our province's life beyond simply educating our children. These institutions play an important role in individual communities, supporting the local economy and improving the quality of life for citizens.

In addition, I know you will agree that knowledge and skills are becoming increasingly important and the strong colleges and universities are an essential part of Ontario's future growth and prosperity. It is imperative that education be accessible to Ontario's students today and that the system be prepared for the demands of the future. Will the task force be taking into account the important role that post-secondary institutions play in individual communities across the province, and as savings and more efficient ways of doing business are found through this process, what will happen to those funds?

Hon Mrs Cunningham: The Investing in Students Task Force will, indeed, be taking into consideration the importance of our colleges and universities within their own communities. They contribute significantly, not only to the quality of life, but to the economic growth and satisfaction of every community across this province.

I will add that in this exercise the association of colleges and universities of Ontario, both the COU and ACAATO are our partners. They are going to be very proud, I know, and excited about working with this task force. I will also say that if, in fact, any dollars are found that could be spent more efficiently and effectively, they will be reinvested into the post-secondary system. This is a time when all of us want to ensure our young people that there will be a space for every qualified and willing student who would like to move into our post-secondary system.

I want to close by saying we're very fortunate in this great province to have the kind of system we have. Every single member in this House should be proud of our colleges and universities and the contribution they make to this great province and to our country.

EMERGENCY SERVICES

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. I want to know, if you're so baffled by the ongoing crisis in our emergency rooms, why you are continuing merrily along to close emergency rooms in this city. Yesterday I called on you once again to put a halt to the closure of emergency rooms.

Today, you can take a first step and issue a stay of execution for the Wellesley ER. In three days, there will be one less emergency room in a city where emergency backlogs have gone up 66% in the last year. In three days, there will be one less emergency room in a city where on Monday and Tuesday of this week, all 24 ERs

were on redirect or critical care bypass. In three days, you could keep an emergency room open that accommodates 36,000 additional patient visits a year.

While you are puzzling over why your plan isn't working, will you exercise a little preventive medicine and issue a stay of execution for the Wellesley emergency room?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, we are constructing about 57 expanded emergency rooms throughout Ontario. I'm very pleased to say that St Michael's Hospital is one of the newly expanded facilities in this province. The move to bring Wellesley and St Michael's together will actually allow for the strength of both sides to be in one new facility.

There is an innovative layout within the emergency room. I've had the opportunity to visit it. It creates a very effective and efficient system for triaging patients. It includes a fast-track area for less urgent cases, for intermediate and major treatment areas and for trauma facilities. This emergency department at St Michael's is one that will respond specifically to the needs of that community, and it's larger and better than ever before.

Ms Lankin: Minister, everyone looking at this understands why it makes no sense, common or otherwise, to close the Wellesley right now. I don't understand why you don't. You talk about the new St Mike's being larger than the other two. There were 44 beds between the two. In the new St Mike's, there will be 47, three additional beds. Is that your answer to the clogged ERs all over this city?

The current Wellesley, if it operates, accommodates over 36,000 patient visits a year. That's a lot of sick people when ERs are backed up and people are waiting four to six hours after their triage to actually see a doctor.

Today, you're saying to us that it's your decision that the Wellesley ER will still close on Sunday. How are you going to explain that decision if, on Monday, all the hospitals are on redirect again? How are you going to look a family in the eye and tell them you didn't have a choice, that there wasn't a decision you could make, that there was nothing you could do and you were baffled and puzzled? Come on, Minister, take a bold stand that could save lives. Save the Wellesley ER. Issue a stay of execution.

Hon Mrs Witmer: We have been assured by St Michael's Hospital that they will certainly have a facility that is quite capable of meeting the needs of the community. I just want to tell you about some of the new emergency department features. There will be initiatives specifically designed to serve the inner-city population, including a number of programs brought from the Wellesley Central side. These services include a formal protocol to guide the treatment of victims of gay-bashing, a rapid-access system for HIV/AIDS patients, the mental health crisis team and the 24-hour needle exchange, a harm reduction program that is unique in Canada.

Furthermore, the new emergency department houses the Rotary Club of Toronto transition centre. I will tell

you it's a centre I have seen, and it is a special facility for patients who are homeless or under-housed. I can assure you that St Michael's is prepared to deal with the needs of that community.

1500

PARTICULATE EMISSIONS

Mr Dominic Agostino (Hamilton East): My question is to the Minister of the Environment. I want to ask you about the Swaru incinerator in my riding of Hamilton East. As you're aware, recently citizens including Linda Lukasic and Mark Muldoon filed a request under the Environmental Bill of Rights asking you to review the emissions and operating certificates at this facility. Your response to them was less than adequate. You allowed a very narrow review, which would not include a review of air-emission levels and, more importantly, a review of dioxin emissions from this plant.

Minister, you allow this incinerator to operate with standards that are 15 years out of date. You've even exempted them from meeting your own 1995 standards. You are giving them permission to intentionally release more dangerous dioxin to the air than even the standards of five years ago.

I don't understand. This is a serious health issue. Will you today, in the Legislature, commit to ordering a full review of the emission standards at Swaru and particularly dioxin emissions and how they are impacting on the residents of Hamilton East?

Hon Mr Newman: In fact, we've done a lot with respect to air quality in this province. I want to take the opportunity to share that with the member. We've done a lot, through a 45% reduction of NO_x emissions and VOCs by the year 2015, based on 1990 levels, and a 50% reduction in SO₂ emissions by 2015. We've introduced environmental regulations for the new, competitive electricity market in our province. There is the moratorium in place on the sale of all coal-fired facilities in the province.

There's also, again, the proposed mandatory monitoring and reporting of harmful air pollutants in all industry sectors. So we have done a great deal with respect to air quality in our province.

Mr Agostino: Speaker, it's clear this minister doesn't have a clue what he's talking about. Focus for a second. Put away Paul Rhodes's speech and listen to me.

Let me remind you, minister, this facility—last year—

Interjection.

Mr Agostino: Last year, dioxin emissions from this facility were six times higher than what is allowed under your standards. Do you know that this facility is the single largest dioxin polluter in the country? It's within a stone's throw of schools and residential neighbourhoods.

All the residents asked you to do was simply undertake a review and take the steps necessary to fix this problem. You failed miserably, minister. You've learned nothing from Walkerton, you've learned nothing from Plastimet and now you continue to expose my residents

to deadly dioxins and you're being irresponsible by not being willing to take the steps to fix the problem.

I'm going to ask you again—what it is going to take, another tragedy? Will you today take the right steps to step in and review and fix the problems at Swaru?

Hon Mr Newman: In fact there are new incineration guidelines that provide industry with clear, performance-based requirements which protect human health and the environment in our province. These are consistent with the mandate of the government. That would include all sites in Ontario.

There are a number of guidelines currently in use that require updating. The existing guidelines are prescriptive in nature and do not allow the use of new—

Interjection.

The Speaker: Would the minister take his seat. The member has asked the question. He can't just shout across. Last warning for the member from Hamilton East. Minister.

Hon Mr Newman: I'm simply pointing out that there are a number of guidelines currently in use that require updating. The existing guidelines are prescriptive in nature and do not allow the use of new or innovative incinerator designs or operating procedures.

The new guidelines establish emission limits applicable to each type of incinerator. That would apply to all facilities in Ontario, based on demonstrated and cost-effective technologies for the various types of incinerators. Where applicable, emission limits for particulate matter, acid gases, heavy metals, dioxins and furans are established.

The Speaker: New question. The member for Brampton North.

McMICHAEL CANADIAN ART COLLECTION

Mr Joseph Spina (Brampton Centre): Brampton Centre. My question is for the Minister of Citizenship, Culture and Recreation—and I'm disappointed that less than half the Liberal caucus is here today to hear question period.

In July this year the minister announced the appointment of David Braley to the chair of the McMichael art gallery. In light of the difficult financial position faced by the gallery and given the significant investment in the gallery by the people of Ontario, what assurances can the minister give me that Mr Braley is the man for the job?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I want to make sure that everybody knows that it's Braley. I'd like to thank the member for Brampton Centre for the question.

David Braley is a native of Hamilton, and I know he is well known by a number of the members in the House. Let me tell you right off that he's a very well respected patron of the arts. He's well known in his community, and he's certainly a leader in his community, a successful entrepreneur, too.

He is the owner of a successful auto parts manufacturer which is called Orlick Industries. He has financial experience which I'm very excited about having on the board. He has helped to aid institutions, and he has also been involved in this organization for a little while. I know that all members in the House know that the deficit in this organization is about \$1.6 million this year. We're quite concerned about it.

Mr Braley is a governor of the Art Gallery of Hamilton, and he's a chair of McMaster Manufacturing Research Institute. Let me say that we're just lucky to have Mr Braley, who has accepted this wonderful position.

Mr Spina: I was really pleased to have met Mr Braley, but I didn't know a lot about him until now.

Minister, given the significant investment in the McMichael gallery on behalf of the taxpayers and considering the escalating deficit situation that occurred there, what is our government doing to help the McMichael out and make sure that this mess never happens again?

Hon Mrs Johns: I'm pleased to answer this question because I want to make sure that everyone knows that the McMichael is a unique situation in the province of Ontario.

They informed me in March that they had a projected deficit of approximately \$300,000. In April or May, the audit committee came to me and said it was \$750,000 and asked me to send in an audit committee. When that audit committee came in, they recognized that the deficit was approximately \$1.6 million, and so the government, of course, reacted to this. We have moved the legislation to go back to the original mandate because we recognize that there's conflict as a result of the original mandate and the many changes that have happened over the years. We're certainly committed to making this institution strong financially. We've made a commitment to put \$2 million into infrastructure, and we're looking to restore the financial health of this wonderful institution so we can preserve this art gallery for our children and our grandchildren.

ACCESS TO PROFESSIONS AND TRADES

Mr Alvin Curling (Scarborough-Rouge River): My question is for the minister responsible for skills training.

Minister, your government reminds us daily, and we heard that today, that we are experiencing a boom in the economy, yet many Ontarians cannot benefit from this boom because their trade and professional qualifications obtained from outside Canada are not being accepted in Ontario.

We're losing many of these skilled professionals to the United States, and those who stay here are being penalized, as you know. Can you tell me, Madam Minister, what you and your government are doing to provide access for these individuals to their trade and profession?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): You should have clapped, this was his first question as my new critic and you didn't clap for him.

This government has taken many steps, I would advise my colleague, to help skilled newcomers enter the labour force quickly and contribute to the economy. We have improved access to education and training opportunities for many of our immigrants, and we continue to work with our community partners. We continue to work with the occupational regulatory bodies, which are of great concern, educational communities and agencies, to work with people who are new to Canada and to upgrade their skills and recognize their skills where appropriate.

I don't know how much time I've got, but in the May budget we in fact provided \$3.5 million to help foreign-trained nurses and other professionals obtain their Ontario licences.

Mr Curling: Let me just remind the minister that over the years I've heard a lot of talk, and I have a great respect for you, that you want to do some stuff, but I need action more than words.

These individuals, as I said, need concrete action. They need access to their trades and professions that they are qualified in.

Can I obtain from you a commitment that the report we have, Access to Trades and Professions in Ontario—that you will implement those recommendations made through the report way back, that you will have that report implemented before the end of this fall session? Can I get a commitment from you to have that done?

1510

Hon Mrs Cunningham: The member and I go back a long way. I'm not quite sure which report he's referring to, but I will find out. I do want to assure him that the academic credential assessment service, which was long overdue in being established, that his government and the NDP did not get started, is up and running this fall. That means we do assess the foreign credentials of people who have been trained in other countries. It wasn't there before. It was a recommendation of the report that I think you're talking about. It has taken it a while to get implemented because we wanted to do it right.

I will say that these qualifications that we're looking at that the member is interested in are from over 180 countries across the world, and we're spending money to make that happen. It's so long overdue. It is so frustrating for the people the member is talking about. We will definitely work with him to make sure that we get his questions answered.

PETITIONS

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): I have a petition signed by 952 supporters of my bill that we

introduced this morning, to eliminate this government's odious head tax on intercountry adoptions. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government has imposed a \$925 head tax on international adoptions; and

"Whereas the cost to the government for processing international adoptions is no greater than that for domestic adoptions, which are not subject to the head tax; and

"Whereas in other provinces parents are offered a tax credit of up to \$3,000 to offset the enormous costs of international adoptions; and

"Whereas charging \$925 to parents to adopt a child is as unacceptable as it would be to charge mothers for their medical care at childbirth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To demand that this head tax be immediately revoked, and to demand a full refund to everyone who has paid it."

Again, I support this petition. I've signed my name to it, and there are 952 signatures.

PROTECTION OF MINORS

Mr R. Gary Stewart (Peterborough): "To the Legislative Assembly of Ontario:

"Whereas children are exposed to pornography in variety stores and video rental outlets;

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to pornography;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact legislation which will:

"Create uniform standards in Ontario to prevent minors from being exposed to pornography in retail establishments;

"Prevent minors from entering establishments that rent or sell pornography;

"Restrict the location of such establishments to non-residential areas."

To the petition I sign my name.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have another one of our thousands of petitions concerning the northern health travel grant.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that the financial

support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

I wholeheartedly support this petition and affix my signature.

FARMFARE PROGRAM

Mr David Christopherson (Hamilton West): I have petitions forwarded to me by Stan Raper with the UFW, the United Farm Workers. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits; and

"Whereas the Harris government of Ontario has not provided any consultation or hearings regarding this initiative; and

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

On behalf of my NDP colleagues, I proudly sign my name to this petition.

DEVELOPMENTALLY DISABLED

Mr John O'Toole (Durham): "To the Legislative Assembly of Ontario:

"Whereas Ontarians with a developmental disability are in growing danger of inadequate support because compensation to workers is, based on a recent survey, on average, 20% to 25% less than compensation for others

doing the same work in provincial institutions, or similar work in other settings; and

"Whereas there are hundreds of senior parents in Ontario who have saved the Ontario government millions of dollars by keeping their children with a developmental disability at home, and are still caring for their adult children today; and

"Whereas there is no plan of support for most of these adults with developmental disabilities to go when their parents are no longer able to provide care; and

"Whereas these parents live in constant anxiety and despair;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To significantly increase the compensation for workers in the developmental service sector so that it is comparable to the compensation of government-funded workers in identical or similar occupations; and

"To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who have no support when their parents are no longer able to care for them."

I am pleased to present this on behalf of the constituents of Durham.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection and vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"Whereas the passage of Bill 112 would diminish the authority and responsibility of the board of trustees;

"Whereas the passage of Bill 112 would limit the focus of the art collection and reduce the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers; and

"Whereas the passage of Bill 112 would significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

1520

FRAIS DE TRANSPORT AUX FINS MÉDICALES

M. Gilles Bisson (Timmins-Baie James): J'ai ici une pétition signée par beaucoup d'individus des villes de Levesque, Sudbury, et d'autres places qui se lit comme suit :

« Les gens du nord exigent que le gouvernement Harris mette fin à l'apartheid en matière de soins de santé.

« Attendu que, d'une part, le programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales offre un remboursement partiel au taux de 30,4 cents par kilomètre à aller seulement, à l'intention des personnes atteintes de cancer, et que, d'autre part, la politique de déplacement pour les gens du sud de l'Ontario rembourse en entier les coûts de transport, de repas, et d'hébergement ;

« Attendu qu'une tumeur cancéreuse ne connaît aucune politique de transport pour les soins de santé ni de région géographique ;

« Attendu qu'un sondage de recherche Oracle publié récemment confirme que 92 % des Ontariens appuient un financement égal de transport à des fins médicales ;

« Attendu que les résidents du nord de l'Ontario paient le même montant d'impôts et ont droit au même accès aux soins de santé, ainsi qu'à tous les services du gouvernement et à tous les droits de personne inhérents que les autres résidents de la province ;

« Attendu que nous soutenons les efforts de l'OSECC (Ontarians Seeking Equal Cancer Care), une association récemment fondée par Gerry Lougheed Jr, ancien président de Action Cancer Ontario, région du nord-est, afin de redresser cette injustice envers les personnes du nord de l'Ontario qui doivent se déplacer pour recevoir des traitements anticancéreux ;

« En conséquence, il est résolu que les soussignés exigent que le gouvernement Mike Harris propose immédiatement de financer en entier les frais de transport à l'intention des résidents du nord de l'Ontario atteints de cancer » et de mettre fin à cette situation intolérable pour les personnes du nord de l'Ontario.

Je signe cette pétition.

AGRICULTURAL LAND

Mrs Julia Munro (York North): "To the Legislative Assembly Ontario:

"Whereas the activity of farming is being severely threatened and restricted by urban sprawl and infrastructure construction in the GTA;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide protection of the class 1 to 3 farmland and the business of agriculture and provide a competitive environment conducive to the business of agriculture."

I affix my signature to this.

NORTHERN HEALTH TRAVEL GRANT

Mr Alvin Curling (Scarborough-Rouge River): I have a petition here to the Ontario Legislative Assembly actually in support of my good friend Rick Bartolucci from Sudbury, and it reads like this:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to this in full agreement with it.

CHILD POVERTY

Mr David Christopherson (Hamilton West): I'm proud to present a petition from the West Hamilton Interfaith Committee on Child Poverty, and it reads as follows:

"Whereas the federal government signed the United Nations Convention on the Rights of the Child and passed a resolution to eradicate child poverty by the year 2000; and

"Whereas at the first ministers' meeting in June 1996 the Prime Minister and Premiers made tackling child poverty a collective priority; and

"Whereas Campaign 2000 records the province of Ontario as having the highest increase—116%—in child poverty since Canada's House of Commons vowed unanimously in November 1989 to eliminate child poverty;

"Therefore, we, the undersigned, petition the Parliament of Ontario:

"To take immediate steps to eradicate the hunger of poor children by working vigorously with the federal government to reduce the poverty rate among Ontario's children; and

"To follow and implement the recommendations of the Early Years study, commissioned by the Ontario government in the spring of 1998."

I proudly add my name to this petition.

EDUCATION REFORM

Mr Tony Ruprecht (Davenport): I keep getting petitions about the secondary school reform in Ontario. This is to the Minister of Education:

"We believe that the heart of education in our province is the relationship between student and teacher and that this human and relational dimension should be maintained and extended in any proposed reform. As Minister of Education and Training you should know how strongly we oppose many of the secondary school reform recommendations being proposed by your ministry and government.

"We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by your ministry, however, is substantially flawed in several key areas: (a) reduced instructional time, (b) reduction of instruction in English, (c) reduction of qualified teaching personnel, (d) academic work experience credit not linked to educational curriculum, and (e) devaluation of formal education.

"We strongly urge your ministry to delay the implementation of secondary school reform so that all interested stakeholders—parents, students, school councils, trustees and teachers—are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided."

I am delighted to add my signature to this document.

NORTHERN HEALTH TRAVEL GRANT

Mr Gilles Bisson (Timmins-James Bay): I have a petition here from a number of people from northeastern Ontario with regard to the cancer issue and the transportation of patients to southern Ontario:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement of costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care

Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I sign that petition with gladness.

Mr Joseph Spina (Brampton Centre): On a point of order, Mr Speaker: I'm just curious, is it acceptable—and it's a legitimate question, and I hope it's treated that way—for a petition to be read twice, both in French and in English, if it's the same petition?

The Acting Speaker (Mr Tony Martin): I don't know that. There are certainly a lot of petitions that are read in this House that are exactly the same. I haven't read the names that are on the list, so I can't make a ruling on that.

Same point of order?

M. Bisson : Monsieur le Président, pour se faire dire par le gouvernement : « A-t-on le droit de présenter une pétition en français et en anglais ? »—vous savez bien qu'on est accordé le droit comme francophone de s'exprimer en français dans cette Assemblée, et je vais continuer de le faire même si le gouvernement ne le veut pas.

The Acting Speaker: I don't think that was the issue that was raised by the member.

ORDERS OF THE DAY

McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Resuming the debate adjourned on September 26, 2000, on the motion for second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

Mr Monte Kwinter (York Centre): Mr Speaker, before I start I'd like to get unanimous consent. Behind me I have a painting that belongs to the collection of the government of Ontario, and I would like to at some time during my presentation just refer to it and show it to the members, and I hope I could get unanimous consent to do that.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? It has been given.

1530

Mr Kwinter: Thank you. I'm pleased to speak to Bill 112, the McMichael Canadian Art Collection Amendment Act, and to express some of my concerns.

Before I do that, I would just like to establish my credentials, because I know the minister is quite surprised that I'm standing up here speaking to this bill. I'm sure some members know, and others don't, that I'm a graduate of the Ontario College of Art. I have a bachelor of fine arts degree from Syracuse University. I've studied at the Institute of Contemporary Art in Boston. I was appointed by Bill Davis, when he was the Minister of Education, to the governing council of the Ontario College of Art, and ultimately I became the vice-president of the Ontario College of Art. I just thought I would establish that so that you would certainly appreciate the context in which I'm going to make my remarks.

Bill 112 really deals with a bequest that was made by the McMichaels back in 1965 to the government of Ontario and also to the Metropolitan Toronto and Region Conservation Authority, and again, by coincidence, I was a member of that particular conservation authority. In their deed of gift, the conditions were to "establish, develop and maintain in perpetuity ... a collection of art reflecting the cultural heritage of Canada ... comprised of paintings by Tom Thomson, Emily Carr, David Milne, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.E.H. MacDonald, Franklin Carmichael and other artists as designated by the advisory committee,"—of artists—"who have made contributions to the development of Canadian art."

Also, just as a point of interest, I'm old enough to have known most of these people. Jock MacDonald taught me. A.J. Casson signed my diploma from the Ontario College of Art. I used to go up with some of my student friends to the Park Plaza Hotel, which used to be at the corner of Bloor and Avenue Road—they had what was known as the King Cole Room—and we used to sit and hear stories by Fred Varley. I used to own a children's summer camp up near Dorset. The Dorset Hotel was owned by Frank Johnson. His son runs it now, and he has got a collection of his father's works. David Milne's son and I were schoolboy friends. So I've had a living relationship with these people, and I certainly respect their ability, their movement, their talent.

Having said that, the Group of Seven, which is the basis for the McMichael donation, represents a period in art history from 1920 to 1933—13 years—and yet it is perceived by many as being the renaissance of Canadian art, as if we are in a freeze-frame and nothing has happened before or since, when in fact, if you take a look at Canadian art prior to that, there are giants who really set Canadian art on its course. I'm talking about William Henry Bartlett, from 1809 to 1854; Paul Kane—any of you who have studied Canadian art would certainly know of him; he lived from 1810 to 1871—and probably the most famous and the one who still has an incredibly high value in the marketplace today, Cornelius Krieghoff, from 1815 to 1872. Those of you who know anything about Canadian art would recognize his scenes of Habitant, Quebec. As I say, when his works come on the auction block today, they command an incredibly high price.

What do we have? We have the McMichaels, who had collected 194 paintings and drawings and had lived on a site that was 14 acres. They had a house, a log cabin that they lived in. They negotiated with then-Premier John Robarts for the government to take over this facility.

I notice in Bill 112 it keeps referring to the fact that the McMichaels gave this property, gave the paintings and gave the house to the government.

Let me tell you about this gift. The original gift, including art, land and buildings totalled \$835,425. That was its appraised value by an independent appraiser who looked at the value of the land, the building and the paintings, these 194 works of art, and established that the value—and this is back in 1965—was \$835,000. They received a tax receipt of \$815,515. So they were out of pocket about \$20,000.

On top of that, and this is quite significant, they were given the right to live in the house from 1965 to 1982, a period of 17 years, rent-free. They were also given a car and a housekeeper, also paid for by the province.

Mr George Smitherman (Toronto Centre-Rosedale): Sounds like the ORC.

Mr Kwinter: When Robert McMichael stepped down from having an active role in the gallery and was really curator emeritus and adviser, he was given an additional \$400,000. On top of that, the same year, the government purchased a house for \$300,000 and gave it to them.

As my colleague says, this sounds like a deal that was negotiated by the ORC. They certainly got full value for what they gave. They certainly had a deal that many people would love to have. I think it's important that that be understood.

The original 14 acres, the original building, the original 194 pieces of art have now grown, through the contributions of donors and benefactors and contributions by the province of Ontario, to a permanent collection of 6,000, to a site that is now 100 acres and to a building that has been expanded many, many times, all at the cost of the taxpayer or by benefactors. So we now have a facility that, to use a cliché, is world-class. Not only that, but it has become the major repository of Canadian art in Canada.

Notwithstanding what I think was a very generous financial settlement, there has been constant friction between the McMichaels and whoever has been doing the administration of that particular facility. There have been three amendments to the original deal, one in 1972, 1982 and 1989. It's interesting that in the most recent, 1989, amendment to the McMichael act, it talks about how "The board shall consist of 17 trustees, ... 11 trustees appointed by the Lieutenant Governor in Council, four trustees appointed by the board, Robert McMichael, founder-director emeritus and Signe McMichael."

Of these 17 trustees, they had two seats. The only other reference to them was that "no work of art or land donated by either Robert McMichael or Signe McMichael shall be disposed of by the corporation." That's significant because what is being contemplated now is that—and Robert McMichael says, "There are

300,000 works of art that I don't agree with." He wants to dispose of them, but nobody can dispose of his.

They also set out this particular condition, which nobody really objects to—it is absolutely prime of the deal that was made—that "The board shall ensure that the focus of the collection is the works of art created by Indian, Inuit and Metis artists, the artists of the Group of Seven and their contemporaries and other artists who have made or make a contribution to the development of Canadian art." That was a condition. There was no reference whatsoever to the 1965 agreement.

1540

The acts of 1972, 1982 and 1989 superseded that agreement. There's no reference whatsoever in the three succeeding acts to the 1965 agreement. So in effect, in law, it's a nullity. It's null and void. It's got nothing to do with anything. The basic concept of what the collection should be was amended to include native art, but basically it still honoured that particular condition that was set out.

Having said that—a period of time had passed from 1965 to 1989 and even further—the McMichaels decided that they would go to court. They decided to file a lawsuit against the province for breach of contract stating that the crown corporation set up by the government of Ontario to administer the collection was not following the terms of the 1965 agreement. He said that most of the 3,000 works that had been acquired since Robert McMichael resigned as director in 1981 do not belong in the permanent collection. That was the basis of the lawsuit.

The interesting thing about it, and this is why I want to bring forward this particular piece of art, is that in November 1996 Justice Peter Grossi, a provincial court judge, ruled in favour of the gallery's founders by upholding the section of the 1965 agreement concerning the collection mandate of the gallery. What is most surprising and totally bizarre, he said, "Canadian art is landscapes, in particular the colours, the relationship to nature and to energy and to uncontrollable forces to reflect the expansiveness of their wide horizons."

So here is a judge who has arbitrarily set down in law what constitutes Canadian art. As far as he's concerned, Canadian art is landscapes.

I had read off the list of members of the Group of Seven and their associates and by coincidence, only because Jock MacDonald happened to be one of my teachers, I have—because the government owns it—hanging in my office, and I want to show it, a piece of art by Jock MacDonald, a friend of Fred Varley and many of the other artists. Under no stretch of the imagination would this be considered a landscape or would it be considered in keeping with the description that the judge has laid down in law. Having said that, if you didn't know that this was signed by Jock MacDonald, I venture to say that it would be turned down as a painting, a piece of art to be included in the McMichael collection.

What happened is that the government of the day, which by coincidence happens to be the same govern-

ment of today, decided that they would appeal. They thought this was a ridiculous decision. I want to quote from the then minister, Marilyn Mushinski, who I'm delighted to see sitting in the House. She announced on December 12 that the government planned to appeal the decision of Judge Peter Grossi because it would open the door to further litigation and make the gallery impossible to run. Not only that, but she had this to say:

"Ontarians have been enriched by the McMichael Canadian Art Collection for more than 25 years. The gallery began with the McMichaels' gift to the province of their home, 14 acres of land and 194 works of art. With their continued support and the generosity of many donors, the collection has grown into one of Canada's most respected institutions, housing 6,000 owned works and almost 100,000 works on loan. The court's decision has made the operation of the gallery difficult because it raises a number of complex issues that we believe must be clarified." Then she closes: "The government has a responsibility to ensure that the McMichael Canadian Art Collection is effectively managed for the benefit of the public, who visit the gallery; and for the many, many donors, including the McMichaels, who have contributed to make it a success."

The minister of the day, to her credit, announced she would appeal this decision. The appeal was successful, as the appeal court ruled that this was not tenable, that it couldn't happen, that one judge couldn't arbitrarily decide what is Canadian art. As a result of that, the decision has really had a very positive impact on the Canadian art community and on the people who run the museums and the art galleries. They all applauded this government's action. They were very supportive of it, and they were incredibly pleased with the decision of the appeal court.

What I don't understand—and frankly it's the reason I'm standing here—is if you have an institution that's not broken, notwithstanding it's got some financial problems, then why is there a need to fix it? You might say, "You should see their balance sheet." Nothing in this bill addresses the balance sheet—nothing. All it does is talk about governance. It talks about a new role for the McMichaels. In section 2 of the bill, and I found this quite interesting, it says, "Robert and Signe McMichael should continue to have significant roles in matters related to the collection."

How could they possibly have significant roles when they're on record as saying that 3,000 pieces in the collection have no right to be there? These pieces of art were donated in good faith by very beneficent benefactors who felt they would like to take their collections or part of them and house them in a facility that would be available in perpetuity to tourists, citizens of Ontario and citizens of Canada. To put that in jeopardy—and make no mistake, we are putting it in jeopardy. I'm sure one of my colleagues will be reading to you a notice that was put out just today by the Ontario Museum Association and the Ontario Association of Art Galleries saying that this is a very significant piece of legislation that should be stopped.

I don't like to be flippant about this. I know the McMichaels contributed paintings and I know they had them. I just hope they didn't also have photographs that were explicit and somehow or other that was the motivation for doing this, because it really makes no sense. If it was a matter of finance, there are ways to do it. The McMichaels have had their say. They sit on the board. They have been very well compensated, and not only that, but the whole facility, the whole collection has grown enormously. It's got 6,000 permanent pieces of art and 100,000 pieces that are there on loan. It is a huge facility that has far outstripped their contribution.

Another very significant thing, and my last point, is that the people of Ontario and the benefactors, since they have been involved, have brought 600 pieces of work representing the original Group of Seven. Just think of that. Just from the Group of Seven point of view there are three times as many pieces of work that were not provided by the McMichaels. It seems to me that we as a Legislature should appreciate the value of this collection and make sure it is properly administered. But let's not put donors at risk. Let's not depress the market, and that will surely happen if you suddenly put 3,000 pieces of work into the marketplace. Not only that, but you will break faith with the people who provided those pieces of work.

1550

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member opposite for his quotes. But I would also like to remind him that this bill fixes what we consider to be two problems: the controversy that has been around McMichael for a number of years and, as a result of that controversy, the failing financial health of the McMichael. To fix one without the other is not appropriate. The government gives the McMichael approximately \$2.5 million, and in one year they're short another \$1.5 million. Those are pretty substantial dollars.

Let me remind you that the first thing we're interested in, too, is fulfilling an obligation that was made by governments in the past. In 1997, Justice Finlayson said, "The honour of the crown is engaged in these proceedings." We're talking about the McMichael court cases. The crown accepted a gift that it was under no obligation to receive. We didn't have to take that gift. We didn't have to take that gift in 1965. Then he goes on to say, "The conditions that accompanied that gift were not onerous." We promised we would respect the McMichaels through—

Interjection.

Hon Mrs Johns: John Robarts did; everyone did. Everyone agreed at the time. The issue here is, when we give our word in this legislation, do we keep our word in this legislation? Up until this point, we haven't.

For me to go in and fix the financial situation—they told me it was \$300,000 in March; they told me they thought it was \$700,000 in April; the auditors thought it might be \$1.3 million and it ended up being \$1.6 million.

To fix that without fixing the underlying problem is just not possible. We have to go back and resolve the controversy that has plagued the McMichael so that it will be here for future generations. The government is going to put money into it. We're going to make sure that happens, because the McMichael deserves to be saved.

The Acting Speaker: Further questions or comments?

Ms Caroline Di Cocco (Sarnia-Lambton): I am surprised that the minister decided to quote the one dissenting justice of the Ontario Court of Appeal rather than the two justices who said to the contrary. In 1997, the Court of Appeal actually decided what that governance should be. The McMichaels had given away their agreement to take control and the whole controversy issue dealt with this need for control. Again, it's a selective quoting of the justice who had the dissenting opinion.

I received today from the Ontario Museum Association and the Ontario Association of Art Galleries their consideration of the implications of Bill 112. The minister did not consult with any of the organizations. Their comments are, "The potential for serious implications to Ontario's hundreds of cultural and heritage institutions as a result of Bill 112, the McMichael Canadian Art Collection Amendment Act, has prompted the Ontario Museum Association and the Ontario Association of Art Galleries to jointly express their concern about this proposed legislation."

They talk about the evolution that has gone on, but they believe this is going to be seriously detrimental to the arts community and to the integrity of art galleries in this province and also internationally, because the ethics of what is going to happen with the pieces that have been donated over the years—we don't know what the implication is going to be for the long term.

Mr Rosario Marchese (Trinity-Spadina): I am on Monte Kwinter's side on this one. On his side against the government.

Mr McMichael has been part of this agreement since 1965. He was there. He has been praised for the contribution he has made to Ontario society and to the arts forever, but he never seems to be a happy man.

In 1965, we had an agreement with him. In 1972, changes were made; he was a part of that. We see the evolution until 1982; he was a part of that. But after 1992 he became more and more unhappy about losing control. That's what this is all about: he lost control of the gallery. These people said, "We're sorry, Mr McMichael, that we've done that to you. We're going to give control back to you as if you had it from the beginning in 1965."

This government does an appeal, which it wins. They did an appeal, spending millions of dollars, for good reason. They take it to a Court of Appeal, they win it, and then they decide, through Mike Harris, the Premier, to change the whole thing as if the appeal meant nothing. What an egregious waste of taxpayers' money that they would do an appeal, win it and then lose it. It's the dumbest political thing I've ever seen from a government. Talk about waste of money, Madame Elliott. This

is an egregious waste of taxpayers' money. Why did you take it to a Court of Appeal if you wanted to change the law in the first place? Why not just give that up and say to Mr McMichael, "We're going to change it for you"?

You re-examined the contract of 1965 and gave to Mr McMichael what was not in the contract in the first place. You gave him more than what was there in 1965. It's the dumbest, dumbest thing I've ever seen a government do. When we've got important things like education, environment and health to deal with, they bring this bill into this place. Dumb.

Mrs Brenda Elliott (Guelph-Wellington): I listen with intent to my colleagues across the way, and I could take exception, I guess, to one comment: "If it ain't broke, don't fix it." Well, the fact of the matter is that we haven't been hearing from other organizations; we've been hearing about difficulties at this particular gallery because over time the focus of this particular collection has become lost and there are difficulties.

I refer my colleagues to the purpose of part II, section 1.1 of the act, which says: "The art collection, now known as the McMichael Canadian Art Collection, was to display distinctively Canadian art reflecting the cultural heritage of Canada and the images and the spirit of the nation, focusing on those artists known as the Group of Seven and their contemporaries." It is that clear. It is that which we are trying to do to get this collection back on track, this entire organization back on track.

There has been some concern raised about what would happen if changes are made to the collection and what effects that would have throughout the province on the attitudes of donors and so on. I'd like to, for the record, indicate what the answers were from the now chairman, David Braley, when he was asked these very specific questions before the legislative committee confirming his appointment on August 16:

On selling a lot of McMichael art depressing the market: to this question he said, "Things are bought and sold all the time. One would have to be foolish to sell a lot of art at one time when the market devalued it."

When he was asked about what would happen if art was deemed not to fit the collection: "It might get sold; it might get loaned someplace else. I can't make these judgments in advance of actually dealing with a particular piece of art or what have you. I don't think I'm personally qualified to make the decisions. I can guide it from an administrative point of view. I can make sure that everything is dealt with fairly. I will follow whatever contractual arrangements are made because that is what has to be done."

The Acting Speaker: Response?

1600

Mr Kwinter: I have heard the comments. There seems to be a very significant blind spot on the part of the government. You amended the act in 1972, you amended the act in 1982, you amended the act in 1989. This is the law of the land. It was amended. The act was amended, and you went to court when it was challenged. Not only did you go to court, you lost and then you

appealed it. When you appealed it—this is the first time I've heard of sore winners. You won the case and now you're saying, "No, no, that's it."

But the most important part of what I want to leave on the record is that if Bill 112—and you know I sat on the economic and finance committee—had provisions that would put in tight fiscal constraints, if it would do all of these things, I would say, "Well, I can understand what the problem is." But it doesn't. All it does is expand the board of trustees. It gives unfettered, literally, control to the McMichaels and the minister, and who's to guarantee that they're going to do any better? The McMichaels certainly are not in a position to do it at this stage in their lives.

So what we have is a bill that makes no sense. You're going to alienate people who, in all good conscience and all good will, have made contributions to this facility. You're going to create a great deal of unrest in the cultural community, who are going to be concerned that, "If you can do it to them, you can do it to us." There is no rationale. I've heard from many people who are in positions of some authority in the cultural community, and they say, "This is lunacy. I don't understand why it's being done." Now I hear, "It's being done because of the dire financial straits of the institution."

I can tell you, there are ways of dealing with that without amending the act, because the act does nothing to address that. All it does is change the governance.

The Acting Speaker: Further debate?

Mr Gilles Bisson (Timmins-James Bay): This is truly a bizarre situation that we find ourselves in, debating this bill. Keep in mind, we're debating this particular bill about the McMichael gallery that we shouldn't be debating, because this item has been dealt with many years ago, all because the Premier has decided to do something that's pretty strange, in my view, while we could be dealing with issues such as health care across the province, hours of work for working people in this province—because we know this government wants to increase the workweek to 60 hours a week. We could be dealing with truck safety. We could be dealing with all kinds of items. Instead, the government decides they're going to bring this bill into the House so that we have a debate about something, quite frankly, that shouldn't be in this House.

Just for people in the Legislature who may not be up on this issue, or people who are looking in, or people who are guests, the issue here is that Mr McMichael, some years ago, donated artwork to the gallery, primarily from the Group of Seven but other artists. In giving that art, there was an agreement that was formed that the gallery would then be responsible for the showing of that art and running the gallery. So he made a gift, and the gentleman got himself a tax credit in the interim. We thank him for the works that he donated—very generous on his part. It was an excellent move then and still is an excellent move now, and life went on.

The thing that's truly bizarre here is that all of a sudden, there's a change of heart. The person who gives

the art says, "I don't like the way the gallery is run, I don't like the works that they're exhibiting, so therefore I want to change the arrangements that were made originally back in the 1960s when I gave the artwork." So he goes to court, and the court says, "No. The agreement was put in place in the 1960s, and how the art gallery is being run is consistent with that agreement. So therefore, Mr McMichael, you have lost your case in court."

The interesting thing is, what happens at this point is that the provincial government goes in and appeals, and they win their appeal, so they don't have to change the agreement.

That should have been the end of the story. Instead, what we got is the government now coming and basically arguing against what was the appeal that they won at the court, in order to reverse their win. Exactly, shake your head; it makes no sense. Can you believe that you go as a government to court and you say, "I plead my case before the court of Ontario on the following premise," and you win? Then, after that, you come back and you decide you're going to change legislation because you won? It's just bizarre. In the 10 years that I've been in this assembly and three Parliaments, I've never seen something so silly as what's happening in this particular case.

I have to ask myself why. The answer to "why" is I could only speculate that possibly—I'm not saying that this is the case; possibly—Mr McMichael is a friend, or whatever the fellowship is between the Tories and Mr McMichael, and they've now gone back and said, by way of the Premier, "Ah, well, listen. I hear you. We fought against you when we went to court. We won our case. You lost your case. But what the heck, I'll change my mind, and we'll bring legislation to fix it." Talk about a waste of taxpayers' dollars. Do you know how expensive it is to run this Legislature on a day-to-day basis? The figures are over \$1 million a day.

We've now spent the better part of two and a half days debating this bill, which means to say we've wasted over \$2 million debating a bill that shouldn't be in this House. The minister says, "We're doing this because we're trying to save some money. We want to make sure we don't waste taxpayers' money." Minister, you're wasting it by the shovelful. When are you going to wake up? Stop this. It's stupid.

I say to the government across the way, listen, the gentleman, great man that he is, made the donation. We understand that. We thank him for it. We think that was an excellent gift that he gave to the people of the province of Ontario. But there was an agreement that was put in place. The gallery has been running the exhibitions within that gallery according to the agreement that was put in place at the time. That has been upheld by the court of Ontario; therefore, we should do what was in the agreement in the first place and we should also do what the court is telling us by way of their ruling: leave this one alone. For that reason I am going to vote against this bill, and I would imagine with many other members of this assembly, because we think there are far more important issues to deal with.

The thing that's really galling about this, on the other side of this thing, is that by way of this bill what's really interesting is that the Premier all of a sudden has become an art critic, if you really look at the extension of this bill. I find that very surprising and I find it very interesting when you've got a government that stands there, and the Premier, as a mantra of the language, says, "We don't believe in big government. We don't believe that government should be making decisions about items over people. We believe that people should make their own decisions and government should get out of their way." But in this particular bill, if you read it, it basically puts the Premier in the position of having to decide what pictures we're going to hang in the gallery. You talk about the hand of big government; you talk about Orwellian scenarios. I can't believe it. We've got the Premier of the province of Ontario deciding by way of legislation, basically—because he, as the head of the cabinet and as the Premier of this province, ultimately is responsible for this—what pictures we're going to hang at the McMichael gallery.

I'm sorry. I love art, I'm sure Mike Harris loves art and I'm sure most people in this assembly, even the member from Etobicoke, love art. I don't know what kind, but I know he loves something. But we are politicians. We are not curators of galleries and we are not people of knowledge when it comes to deciding what should be in an art gallery and what shouldn't be, number one.

Number two, I certainly don't want to live in a state where the government of day decides what kind of pictures we're going to hang in an art gallery. I think that is draconian, I think it is beyond the pale, I think it is absolutely ridiculous and a complete waste of taxpayers' dollars, but more importantly, it goes beyond the bounds of what rules and what powers a government should have over its citizens. The effect of this bill basically puts the cabinet in that position, and with Mr Harris, being the head of that cabinet, is where we put it.

I have to say the minister, whom I heard earlier, is an honourable member. I've dealt with her on a number of occasions. I have no quarrel with her. She is only having to carry this bill because somebody decided it had to happen. I really sympathize with you, because I know you. You're a pretty decent person, and I kind of think you saw this one coming. You must have shaken your head and said, "Why me? Why did you give me this bill?"

Anyway, I just make the point, when you say, "This is going to put the gallery on sound financial footing," I say to the minister, excuse me, think about this. We have not only Mr McMichael who has given art work to that gallery for exhibition, but curators over the years have decided, by way of the agreement and consistent with the agreement, I would add, because the courts have upheld that, to exhibit other pieces of art.

Think about this: we have other art that is available for the viewing of people who want to go to the gallery. People have donated money and have donated art, not

just on the basis of the works that have been given by Mr McMichael, but also by many works from other artists across this province who have contributed art to the gallery. So if we now all of a sudden say—Mike Harris by way of this bill—"We're going to show the Group of Seven and native art"—which is nice, I understand—but we turn around and we say, "We're not going to show the others," you're in effect putting the gallery in a position that it might lose some of its contributors.

I may not be a person who appreciates the Group of Seven. Maybe I'm a person who contributes to that gallery because of another artist or another group of paintings at that particular gallery and I enjoy making my contribution to help the gallery along. We certainly know that governments don't fund art galleries the way they used to; that's later on in the debate.

1610

What you're going to do is in a sense really restrict the ability of the gallery to go out and raise the dollars it needs in order to keep the gallery open, keep it flourishing and building towards having the type of artwork that they properly should be exposing in that gallery. So I would say, Minister, don't come to us all of a sudden and say, "This is going to put them on a better financial footing," because what you're doing is you are limiting what they're going to be able to show. It's certainly not going to make for a bigger piece of the pie. And you know what? The Group of Seven only painted so many pictures. It's not as if they can go out there and all of a sudden increase the Group of Seven showing art that they have to an extent that it's going to allow them to generate more revenue.

If the minister responsible for artwork, or I should say the Premier—the art collector and curator of the province of Ontario—feels that he wants to have a direct say about what we are hanging in the art gallery, why doesn't he go out and fund these art galleries properly? I remember a time in this province when we used to fund such facilities at a level of 80% funding. I remember a time when you used to be able to walk into some of these facilities as a citizen of the province of Ontario without having to pay a fee. We thought it important, the members who were here before us, that we as a province exhibit our wonderful art and all of the wonderful works that are put together by the artists of the province of Ontario as a way of showcasing the diversity of this province and the beauty of the people within. At that point, we used to fund 80% the galleries of the province of Ontario. How much are they funded for now, Mr Speaker? Do you know? I hazard to guess that the McMichael gallery, along with many other galleries across the province, are not funded anywhere near to the level that they were funded prior to the time that the Conservatives had taken power.

So I say to the Premier in all candour, if you want to become an art gallery critic or an art gallery curator, resign your seat in the Legislature and go and do that, and I would be quite happy to see you go. But if you're going to stay in this place, allow the people who do this on a professional basis to do it themselves or at the very

least, if you want to have an impact on the kinds of works that are being displayed in galleries, put the bucks up, give them the money that they used to get, and then maybe I can sit back and say, "If they're paying a bigger share of the load, maybe the province should have more of a say." Maybe then I would be prepared to hear the argument.

But I say again to the Premier and I say to the minister, I just can't believe it. Here we are, Mr Speaker—you know, you come from the same wonderful part of the province that I do, northern Ontario—northeastern Ontario, to be specific. We have transportation problems in northern Ontario, a lack of train services in places like Sault Ste Marie and Hearst, Kapuskasing, Timmins, Kirkland Lake and others. We have highways that are not being maintained to the degree that they used to be, because this government has got rid of all of the snowplow drivers we used to have in the province of Ontario and privatized the system, to the detriment of the motoring public. Why waste our time in this Legislature, at \$1 million a day, debating a bill that shouldn't be debated when we could be dealing with those important transportation issues?

Mr Speaker, you have cancer patients in your community, as I do, as all members of this Legislature do, who are desperately trying to get cancer treatment, hoping that that treatment is going to be able to deal with their disease and they're not able to get in because the lineups are so large. I have a gentleman in my constituency who I heard about just by listening to a conversation in the coffee shop. He was waiting two months on a waiting list to go for the test that you get before you go for radiation therapy, when he was already X-rayed and found with cancer in his lung.

The conversation I heard that morning was that for this gentleman, when he finally went the second time, because he had to wait so long, the cancer had grown to twice its mass. Do you know how we got him in? I had to call the hospital. I had to call down to Sudbury in order to talk to the people who do the cancer treatment over there to find out what the problem was in order to get this gentleman in so that he can get some piece of mind. Otherwise, they were going to make him wait.

It's not the hospital's fault. I don't fault, Mr Speaker, as I know you don't, the hospital or the workers or the management of the hospital. I fault this government, this government which decides it's more important to come into this Legislature to debate an issue that quite frankly was resolved in the courts and we had dealt with back in 1965 and again in 1972 when we rearranged the arrangement at the behest of Mr McMichael at the time. Rather than dealing with this bill and dealing with the Premier wanting to hang pictures in the McMichael gallery in Ontario, we could have the Premier of Ontario, along with the Minister of Health, providing adequate funding and the leadership necessary to provide for adequate cancer treatment for the patients of the province of Ontario. There are all kinds of issues like that. So I wonder—well, I don't wonder. I'm pretty well convinced this government has got its priorities wrong.

Somebody's going to watch and say, "If you're so upset about having to debate this bill, why don't you just sit down and let somebody else talk, and the debate will finish?" I've got to explain to people, because I would be critical of that too if I was watching. I want people to know that the rules of this House are that we are going to debate this the rest of the day. So I can sit down all I want and all we're going to do is get a bunch of Conservatives standing up and telling us about how great an idea this is. There's no way I'm going to allow you guys to do that. While I've got some time on the clock, I want people to know just how silly this whole thing is.

Je n'ai jamais cru que je verrais, dans la province de l'Ontario, quelque chose de si stupide. Le mot, très simplement dit, c'est « stupide ». On se trouve dans une situation aujourd'hui, comme l'a dit notre critique M. Marchese, où on discute d'un projet de loi qui n'a aucune place dans cette Assemblée, parce que le premier ministre de la province a décidé, « Écoute. On était en cour, on a gagné notre cas, mais on va changer d'idée puis on va perdre notre cas à travers la législation. » Quelle perte de temps quand on aurait pu avoir des solutions à des problèmes auxquels la province le l'Ontario fait face.

Je vous dis aujourd'hui, monsieur le Président, que la semaine prochaine et les semaines à venir, moi, j'ai des dossiers que je veux amener de la part de la communauté francophone de la province où on ne se fait pas servir en français parce que ce gouvernement a décidé de ne pas mettre en place les fonds nécessaires pour desservir les citoyens de la province même quand on demeure dans une région désignée sous la Loi 8. Quand on écrit au ministre et quand on parle au gouvernement, on se fait envoyer des lettres qu'on va vous montrer la semaine prochaine dans cette Assemblée qui sont insultantes quand ça vient à la francophonie de l'Ontario.

On pourrait faire ce débat. Non. Au lieu de ça, on est ici aujourd'hui, comme l'a dit plus tôt notre bon ami M. Marchese, et M. Kwinter du Parti libéral, faire le débat sur un projet de loi, franchement, qu'on n'a pas d'affaire à faire. C'est complètement ridicule que l'on se trouve dans cette situation.

L'autre point que je veux faire—et nous les francophones, on le connaît bien. Quand ça vient à la question de l'art et de l'appréciation de la culture, vous savez, les Français, on a un certain flair pour les belles affaires. Ce n'est pas que je ne suis pas sympathique à la position de M. McMichael quand ça vient à vouloir mettre sa marque sur ce musée, mais je veux dire simplement à ce monsieur, « Écoutez. Vous avez fait votre décision. » Nous, on a besoin de faire des décisions à chaque jour, et des fois on n'est pas contents avec nos décisions, mais on ne peut pas retourner et décider tout à coup, « J'ai changé d'idée » après qu'on a fait la législation et qu'on a signé des ententes.

Je dis simplement, nous les francophones comprenons très bien les questions de culture. Mais on reconnaît que c'est mieux que les personnes responsables pour ce musée, ceux qui sont responsables pour faire les

collections et faire les exposés, prennent ces décisions eux-mêmes, et non M. McMichael, 25 ans ou même une quarantaine d'années après la situation, ni le premier ministre de la province de l'Ontario, qui est tout à coup devenu un critique des arts. C'est vraiment ridicule.

In the two minutes that I have left, I want to repeat again, that it is utterly, utterly stupid that a government of Ontario would put itself in a position of creating legislation in order to defeat itself and a decision they had in the courts. I thought I'd seen stupidity—I've seen some before in this House—but I'll tell you, this has got to be one of the stupidest things I've seen this government do.

The second point: this is Orwellian, that a Premier of the province of Ontario would decide what kind of pictures we're going to hang in a gallery. I say it again; I said it earlier. If Mr—I was going to call him McMichael; maybe they're related—Michael Harris wants to go and hang pictures in the art gallery, he's welcome to it. Resign your seat, get the heck out of the way, go hang pictures. I'll be happy to see you do it. I wish you well. But don't, as a Premier of the province of Ontario, to decide by way of legislation what pictures an art gallery is able to hang in its galleries.

1620

I say again to the Premier and I say to the minister across the way, if you feel so strongly about the arts and if you feel so strongly about making sure that we have quality artwork shown in the galleries of Ontario, I say go out and fund it. You have the opportunity. This province is in a situation of unprecedented growth because of what we're seeing in the American economy. The Ontario economy has done well. We're seeing some very interesting numbers, encouraging numbers, on revenues to the province of Ontario when it comes to taxation. It's not that you're without means.

So I say to the minister across the way, go to cabinet, say to the Premier and to the rest of your colleagues: "I need some money. I want to support the arts in the province of Ontario." I know you want to. I've got to say to the minister across the way, I have great respect for you. But go there and make the case and say, "Mike, I don't want you deciding what pictures to hang. What I want you to do is decide to sign the cheque," so that the galleries across the province of Ontario and also the artists in the province of Ontario know that they can get some support from their province and not have to worry, "Well, maybe the Premier won't like my picture and won't let me hang it in a gallery somewhere in Ontario."

Mr Speaker, I thank you for the opportunity to participate in this debate.

The Speaker (Hon Gary Carr): Further debate?

Mr Joseph Spina (Brampton Centre): I believe this is questions and comments, Speaker.

The Speaker: Yes, it is.

Mr Spina: I'm disappointed somewhat at my honourable colleague from Timmins-James Bay, who is always wonderfully bilingual, and we love it. Thank you, Gilles. But I don't think he has done sufficient research

into this issue because, if he will look at the comments that I made the other day when I spoke on this bill—I'll quote: "There is no intention to challenge the artistic freedom of the arm's-length relationship the government maintains with its agencies. It is not our job to dictate artistic tastes or to make decisions about what is or is not good art." That is the paragraph at 1740 on page 4198 from two days ago as part of my debate.

The reality is that under this bill there is a five-member board that will decide which art will be recommended and it'll be made up of the two McMichaels—Mr and Mrs—the chair, the vice-chair and another member elected by the rest of the board and they will comprise the art advisory committee. They, not the government, are the ones who shall be choosing the art.

The Speaker: Further comments?

Mr James J. Bradley (St Catharines): I really wonder why the government is proceeding with this bill. I think somebody made a mistake, didn't catch it through the system, or something like that has happened. I thought the government would have withdrawn the bill by now because of its implications. I see that the Ontario Museum Association and the Ontario Association of Art Galleries have both expressed grave concern about it and have offered their assistance and expertise to advise the government in this regard on whether the legislation should be withdrawn or amended.

Second, I wonder why the government isn't proceeding with other initiatives in the field of art galleries. Certainly Rodman Hall in St Catharines is a wonderful art gallery. You may have been there yourself, Mr Speaker, knowing that you are a connoisseur of fine art. You would have noticed, if you were there, the quality of the art that is hanging in that gallery. I had an opportunity a short while ago to participate in the official opening of a juried art exhibition where there were some outstanding examples of the quality of art produced by people in our part of the province.

As has been indicated by other members of this Legislature, and I'm sure by others in our society, the great concern in the field of art is not this particular piece of legislation, though we're concerned about its implications. The concern is that the government has decided to proceed in this direction instead of appropriately funding the art galleries across this province, including Rodman Hall. With that strong support, because as the member for Timmins-James Bay indicated, there is considerably less of an allocation of funding to art galleries today than there was in years gone by. That's what has to be re-invested because they're excellent for our communities.

Mr Marchese: I just want to add to the comments that my friend from Timmins-James Bay has made.

The reasons for introducing Bill 112 are puzzling to everyone, I suspect including the members opposite. I'm convinced. I can't fathom the reasons as to why Bill 112 is before us. I am convinced we are dealing with political favour or personal favour. I am convinced that's what we're talking about because there is no other explanation for it.

What we have seen here is that this government, in spite of the ruling that the Court of Appeal has made favouring the government, has decided to undo that agreement, undo that court appeal and go back to scratch, go back to 1965. They've added to that agreement things that were not originally in that agreement to favour Mr McMichael.

It is, in my humble view, bizarre. They say: "Oh, they have not been on a good financial footing for quite some time. We're introducing Bill 112 to change that." Oh? How is this bill going to help the financial footing of this organization? What happens to the 5,000 works of art? What happens to the people who donated to the McMichael who are unhappy with Bill 112? Will they withdraw their financial support to the McMichael? If that is so, will that make it financially better for this organization, or worse? They might pick up a few more people but they might lose some. So how's this going to help?

You see, that's why I am puzzled by the decisions of this government. That's way I say, it's dumb, dumb politics. There are other things we should be dealing with. Stick with the appeal that you won. That's the better course.

Mr Doug Galt (Northumberland): I've been quite entertained by some of the responses. The member from Timmins-James Bay is just an excellent speaker. I always enjoy it when he rises in the House and speaks in both languages; just a very flamboyant speaker. But I was rather disappointed to hear him make the comment that he was going to vote against this because there were more important issues to be dealt with here in the Legislature. I think that's a pretty weak excuse as to why he would not support this particular bill.

He went on to talk about the government selecting art—he talks about the Premier, Mike Harris, selecting art; he even made some fun about the commonality of names there—making decisions about how to select art. He just couldn't be further from the truth. As a matter of fact, it was a lower court's decision in November 1996 that was appealed because art acquisitions—and this was our government—would be subjected to legal challenges. We challenged the original court decision because we didn't want the question of what is art left up to a judge, just like we didn't want it left up to politicians.

Similarly, in this House, we've heard from the opposition benches where they think politicians should get involved with environmental assessments. I know back in 1989 the minister of the day did get involved and waived an environmental assessment. It was very embarrassing to the government of the day, I'm sure. Politicians shouldn't get involved in art just as they shouldn't get involved in waiving environmental assessments.

But I was kind of interested in hearing someone from the NDP expressing a real concern about cost: the running of the Legislature, \$1 million a day. I think he takes the first place in priority as a socialist talking about cost. It was just music to my ears coming from a party

that, when they were in government, ran an \$11-billion deficit a year. Thank you very much, member from Timmins-James Bay.

The Speaker: Response?

Mr Bisson: I want to take my two minutes on the last comment because I thought it was just so interesting. I heard your comments in regard to you don't believe, as I don't believe, that the Premier of the province should be directing what art to expose in a gallery. You make the argument that you don't want politicians deciding where garbage dumps are going to be established, such as Kirkland Lake or Keele Valley or wherever it may be. I agree with you. Politicians shouldn't be the ones making those decisions.

1630

If that's the case, why is it that your Premier and your government have made all the decisions necessary to direct the garbage within the area of Metropolitan Toronto to the town of Kirkland Lake? This issue had been dealt with. It was against the law when the NDP was in power because of legislation we passed under the Interim Waste Authority that said, "You don't have the right to ship your garbage outside of your municipal boundaries to an area that's out of sight, out of mind." It was a process that was established not by politicians but through the Interim Waste Authority that people who understand the environmental issues and those responsible went through a search to try to find a dump somewhere within the area of the GTA.

Now what we've got is a Premier who, when he got elected, scrapped that whole authority and, more importantly, did away with the issue of allowing municipalities to ship garbage outside of their municipal boundaries. He basically changed the law. He then went in and changed the Environmental Assessment Act in order to allow for a scoped EA, which in fact is what ended up happening at the Adams mine, where now we had a scoped EA on one question. They had 15 days to do an environmental assessment to create a dump where we know every other municipality that has to go through such a process takes 10 years. You guys did it in 15 days, and you're saying you don't believe politicians should make a decision? You guys made two decisions right there that allowed the dump to go and then, the third, you made a decision that you weren't going to allow the garbage to go another lift at Keele Valley, putting Toronto in a position where it has to ship its garbage to Kirkland Lake, given the situation you guys have set up.

You guys have made all kinds of decisions in order to allow garbage to go to Kirkland Lake. It was politically directed by none other than the Premier of Ontario. I take great offence to him saying he doesn't believe politicians should make the decisions, because at the end of the day his hands are dirty.

Mr Galt: I'm very pleased to enter into the debate on Bill 112, the McMichael Canadian Art Collection Amendment Act, 2000. Certainly as the debate continues about politicians being involved, whether it be in selecting art or environmental assessments, I think it's

interesting that the previous government's major intent, when it came to environmental assessments, was to see how much and how long they could be dragged out. It cost money for everyone concerned, whether it was the proponent or those defending, and I heard them say it in committee. It was said different times, "The more complicated, the more red tape we can have, the more the environment will be protected." It wasn't engineers' reports, studies or consultations carried out; just make it complicated, make sure that instead of piles of garbage we'd have piles of paper to work with. That seemed to be their biggest intent.

What we did with the Environmental Assessment Act was streamline it so that at least we could get down to the real bare bones, not get to the end of it and then have to start all over again, as was happening in the past. I was very pleased as the parliamentary assistant to be able to lead that particular bill and improve it so there was a reasonable length of time, somewhere within a year, that you could work your way through an environmental assessment, provided everybody was doing their work. Obviously that didn't sit with the NDP, nor did it sit with the Liberals very well. They saw it in a very different kind of way.

I think the purpose of this bill, the McMichael Canadian Art Collection Amendment Act, is very clear, and the minister spoke on it on Monday: to restore the McMichael collection to sound financial health and to honour the intent of the gallery's original mandate. With all the rhetoric we've heard here today and on previous days, that's really what it's about. That's the mandate for this bill, to get back to that original mandate and to provide some financial help. That's a lot of what we've been doing as a government, ensuring some financial health in this great province of ours, the engine that drives the nation, the great country of Canada. Certainly that was not happening when we had an \$11-billion debt that we were struggling with. Who could possibly get to an art gallery to enjoy the art that might be there that we could go and see?

Earlier this afternoon, we had a question from the member for Toronto Centre-Rosedale talking about the gridlock of our highways. I got caught on the Don Valley Parkway—I guess you could very well describe it as a parking lot—trying to get here for a vote at 12 o'clock to support my good friend in the New Democratic Party, the member for Toronto-Danforth, working on her Safe Drinking Water Act. I wanted to be here as part of that bill, and I was hung up for over half an hour on the Don Valley. Maybe the member from Toronto Centre-Rosedale doesn't understand, but that isn't run by the province; that is part of the city of Toronto, and so is the Gardiner. He was talking about a person trying, I expect, to get in and out on the Gardiner, and what he was doing was insulting every councillor in the city of Toronto when he was asking that question of the minister.

I think it's interesting. As I sat on the Don Valley today—call it the parking lot if you like, but what I was seeing was people going to work, coming home from

work. That was part of the three quarters of a million people who now have work who wouldn't have had work prior to 1995. I saw transports on that road, transports delivering goods so that people who have jobs today are able to buy those goods. That was what was causing a problem on the Don Valley today.

Construction was going on. There are actually dollars that can be invested into construction, something that couldn't happen back in 1995. We can build roads so we can get to places like the McMichael so that we can see these art collections that we're trying to straighten out with Bill 112.

A lot of this relates to controversy, the controversy that started back in 1989. Who started the controversy in 1989? Of course, it was the Liberals. They love creating controversy. They seem to think that is making government. If I may just for a moment relate back to that, the Liberals accuse our government of meddling when in fact it was their government in 1989 which set the gallery down the road to controversy. The member from York Centre, who spoke very well a few minutes ago, the member from Renfrew-Nipissing-Pembroke, and the member from St Catharines all sat at the cabinet table back in 1989.

That legislation expanded the mandate beyond its original intent, going back to the days of Robarts, the Premier of that day, who received the gift from the McMichaels: a very generous gift indeed of property, of art, of a home. Of course there were some conditions on that, but here we had legislation that was changing it. It reneged on the original deal with the McMichaels and it set into motion the eventual court challenge that's being discussed here today. First the Liberals reneged on the deal and, because of that, the McMichaels took the government to court, a challenge that we had an obligation to defend as a government. We took that very seriously.

The lower court's decision of November 1996 was appealed because art acquisitions would be subjected to legal challenges. We challenged the original court decision because we didn't want the question of what is art left up to a judge, just like we didn't want it left up to politicians. I spoke about that a few minutes ago, about politicians making decisions on art, similar to politicians making decisions on environmental assessments, as we've heard in this House. Politicians on the other side of the House think that government members or politicians should get involved in interfering in what technicians and engineers and specialist artists should be involved with.

Getting back, Justice Finlayson reminded us what was at stake in the middle of this controversy. In 1997, he reminded us that the honour of the crown is engaged in these proceedings. It accepted a gift that it was under no obligation to receive. The conditions that accompanied the gift were not onerous. The Liberals set in motion a period of controversy in 1989 which has continued right up until now, over 10 years, in excess of a decade, when they reneged on the original deal, dear knows why—controversy which has led to a decline in the financial viability of the collection.

I can understand that. Look at what happened to the financial viability of this province from 1985 to 1990. It was utterly disastrous, the spending that went on in this province. It was good times—very fortunately for them it was good times—so the deficit was not all that great. They did brag about balancing the budget once upon a time. However, when they were balancing that budget, it was more playing with figures, something like the previous government from 1990 to 1995. They had two sets of books. Very shameful.

1640

By honouring the original agreement, not only are we keeping Ontario's promise, we're putting the gallery on solid financial ground, giving it the stability it needs in order to preserve it for future generations. That's what this court challenge is about. That's where this controversy came from.

I think it's interesting to identify and see where some of these problems were coming from. The minister was expressing it extremely well on Monday when she made some comments. What was going on was there was a deficit that was happening there. We take deficits, whether it's provincial or wherever, very, very seriously, and so an audit was requested. That independent review found a shortfall of some \$1.6 million, a shortfall that was the result of poor fiscal management. Man, do we know about poor fiscal management in the province of Ontario for a whole lost decade from 1985 to 1995, a disastrous period in the province of Ontario.

It was also a period of high fundraising costs, something like the opposition when they get lots of administration in there—they spend all the money on the activity and have nothing left over in the end as a result; of dwindling corporate sponsorship, not working with the corporations; of weak project management; of high staff levels, administration—they love administration, that's what they set up with our school boards; and a lack of a formal budget process. When we came to office and found two sets of books, that's exactly what was going on.

This was the kind of thing that was happening and something needed to be done. I have the greatest respect that the minister did make a decision to move on this. There was a certain amount of management here that had to be looked into. There's been some discussion about setting up a new board chair, an advisory group. It's going to be that advisory group that will be advising in the future as to what should be hanging in that art gallery.

We often hear the Liberals' response of "spend more." It doesn't matter what announcement we come out with here in the province of Ontario, whether it's education, whether it's health, whether it's welfare: "You should spend more." That's what they did from 1985 to 1995 and look what we ended up.

But I do respect that more has been spent here to try and get things under control. From 1996 to 1997, the province did offer up \$2.7 million on operating and about \$440,000 for capital and special projects for a total of

some \$3.1 million in 1995. In 1996, it was a total of \$3.37 million.

You can see where the Minister of Citizenship, Culture and Recreation is coming from. Let's get the McMichael gallery back on firm financial footing. Let's get back to the roots, the wherefores of the McMichael collection. Why was it established? To celebrate Canadian art. Certainly, that's back to that original purpose we were talking about a few minutes ago, the sound financial health of that McMichael collection. If there isn't a sound financial health to that organization to continue, it's probably going to disappear some day down the road, something like the province. I think there's a direct comparison that we can draw. And also to get back to the original mandate, one that the Liberal party saw fit to draw us away from, draw us to the rocks so that we would crash. That's about where we were going.

I think it's interesting the kind of support the government is proposing into the future. We'll invest some \$2 million in the buildings housing this collection to be used to complete major repairs to the roof and the windows. We'll also fund upgrades to the mechanical systems that ensure correct temperatures. We all know with things like antiques and art how important it is to have the right humidity and the right temperature if we're going to maintain these for future generations.

These dollars will also be spent by weatherproofing the facilities that house these valuable pieces of Canadian history. We're ensuring a solid, secure future for the McMichael collection.

Certainly, it has been a very generous gift that this family has given the province of Ontario back in 1965. I, as one, certainly appreciate it and hope that my family enjoy it well into the future. Certainly my spouse and some of my daughters are very, very artistic and they very much enjoy that kind of thing.

But you know, the debate really isn't about what is art and how art should be handled. Art is something which the specialists should be recognizing. There's no question that we are not the guardians of art. We're not guardians of agreements made by former governments. We are guardians of the taxpayers of the province of Ontario and we are guardians of a generous gift and precious resource given to the people of Ontario by the McMichael family.

It would appear once again that the Liberals just don't get it, like they don't seem to get what's going on with health care reform here in the province of Ontario. I brought into the House a few times and have a couple of questions and it's very obvious they don't get and understand the health care reform here in Ontario. They talk about hiring more nurses. The minister explained that the other day. This is a brochure that was put under the windshield wiper on my car when we were at the plowing match. They talk about creating a home visit program and also guarantee 48-hour hospital care for new mothers when they're already getting 60 hours. They want to cut them back by 12. I just don't understand. I trust that this was McGuinty approved.

They talk about restoring junior kindergarten. Certainly the Minister of Education explained that the other day in here. They're not following.

Mrs Elliott: He's not up to the job.

Mr Galt: He's not up to the job, either, as has been said here in the House. That's pretty obvious.

And then, I think it's kind of fun, it says on the front here, "Only two people can stop Mike Harris." Well, obviously Dalton McGuinty isn't one; that was proven in the last election. It isn't the two people Dalton McGuinty and Howard Hampton. They couldn't seem to do it either.

So it's very, very obvious they don't get it and they're just not up to the job. We came to Queen's Park to make government and government institutions more efficient and that's, in a nutshell, really what this bill is about for the McMichael collection.

As a famous American president once told us, "Nothing is easier than spending the public's money," and the Liberals really should know. "It doesn't appear to belong to anybody," and that's exactly how they felt. "The temptation is overwhelming to bestow it on somebody." That president was Calvin Coolidge.

Now, I kind of interrupted that quote; I should give it complete: "Nothing is easier than spending the public's money. It doesn't appear to belong to anybody. The temptation is overwhelming to bestow it on somebody." We've watched that through the lost decade. Ten lost years while they were bestowing money on whoever, wherever, and look where it got us: an \$11-billion deficit, \$100-billion debt.

Calvin Coolidge was a Republican, and as a Republican, which is Conservative in the Ontario experience, we sure know the value of the public's money.

So I would ask the members of the opposition to just step back for a moment from their partisan view and try to get the big picture, which is: there's only one taxpayer. They don't seem to realize it. They think there's an endless and a bottomless pit of money in this province to be spent by them. Their nose is so out of joint, now that they're no longer in office, that they don't have their hands on this money that they can spread it willy-nilly all around the province. Thanks heavens there is some control on the spending of money in the province of Ontario that certainly wasn't there for 10 lost years from 1985 to 1995.

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We need to bring that same kind of order to the McMichael gallery, the same kind of sense of purpose and the same kind of fiscal responsibility that we as a government have brought to the province of Ontario. Every time I hear the yelling and screaming on the other side of the House, I know we're on track, I know we're doing the right thing. Mr Speaker, I can tell you there's been a lot of yelling and screaming in this Legislature in the last three or four days, to the point that I've been a bit embarrassed. I know that people in my riding are very concerned about the yelling and screaming. But it is an indication to me that we are indeed on the right track

when they get as irritated as they have over the past few days. Yell and scream as they like, the opposition cannot dispute the fact that Ontario is in far better financial shape today than it was when they had the keys to the treasury of the province.

It's certainly not rocket science. In Bill 112, we're talking about the two-part purpose of getting some financial stability back into that collection and ensuring that the original mandate, which Premier Robarts accepted when this was donated, is met. It's simply good management practice. It's empowering the people: the people with a vision, the people who are close to the front-line, the people who know how to get things done. That is what this bill is intended to do, and I can enthusiastically support it's passing.

The Speaker: Questions and comments?

Ms Di Cocco: This bill has absolutely nothing to do with good management. This bizarre bill should not be in the House to be debated. The Ontario Museum Association says that to revisit this long-standing agreement, which was already decided upon by the Ontario Court of Appeal, is going to undermine donor confidence across the province. It is exactly that. Maintaining confidence is crucial, now that funding agencies are encouraging museums and galleries to develop new partnerships. Today, this gallery gets 41% of its money from the provincial government. We are undermining their ability to access funds and to get donors to contribute to museums and art galleries.

This bill is a breach of trust to the hundreds of donors who have donated to that gallery from 1965 to today. That is what is criminal about this bill. It's a breach of trust to the arm's-length relationship that is there with all boards and agencies in this province. This changes that relationship. You have boards that set policies, that give curatorial direction. You have experts who assist the boards, who help manage the direction of the boards. Politicians should not be there to tell these experts what they should be putting on the walls. That's what this bill does. You have lots of mechanisms available to deal with the fiscal issue.

Mr Marchese: Speaker, I've got to tell you that the opposition deserves criminal injury compensation. After hearing the member from Northumberland's speech—blah, blah, blah for 20 minutes—I ought to be compensated for having suffered 20 minutes of that discourse, and not just his but so many of the other members. We need to be paid. It's very difficult to sit here having to listen to this blah, blah, blah for 20 minutes. It's painful.

He didn't say anything that had any meaning to anything we're discussing. The fact of the matter is—just to help the member for Northumberland, the good doctor—Mr McMichael has been unhappy for a long time. He's been unhappy to the extent that he brought this issue to court. The lower court agreed with him; the Court of Appeal ruled against that decision in favour of the gallery and in favour of the government for good reason. According to the judgment made by the court, "It

would have effectively given Mr McMichael personal authority over acquisitions." According to the court, the McMichaels apparently believed that under the 1965 agreement they had absolute control, but that is not the case. Even from that agreement that was never put into law, they never had absolute control. He believed it because most of the administrators always agreed with him. But, good doctor, they could always have overruled him. But when it reached the point where he no longer had any control, he decided to take the matter to court, and that's what this is all about. He blah, blah, blahs on about irrelevant things, but this is what it's all about.

Mr John O'Toole (Durham): Respectfully, the member for Northumberland once again has risen to the challenge of soliciting not just my vote but the votes of all members on this side. I think it's important to look at the purpose clause in Bill 112, which Minister Johns has brought to our attention. It's very clear to me and, I'm sure, to the people listening today and perhaps to the opposition—there aren't enough here to listen. The purpose is to return to the original purpose of the McMichael collection. Clearly they've strayed from the initial purpose. I'm looking at the purpose clause here: "... the board with respect to the acquisition and disposal of art works, objects and related documentary material."

A board will be appointed by the Lieutenant Governor in Council, and the purpose is to refocus the original intention of this gift to the people of Ontario. I think the member for Northumberland has clearly demonstrated that things had certainly become unfocused and arguably out of control. This is a very specific bill with a very specific purpose, and I think this is what has been missed by all Canadians. I speak for all Canadians here, I think, as a publicly elected person.

I'm going to read into the record—you should listen: "The collection is to reflect the cultural heritage of Canada and to be comprised of art works, objects and related documentary material created by or about Tom Thomson, Emily Carr, David Milne, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.H. MacDonald and Franklin Carmichael...."

This is history we're talking about. There's no price tag on history. It's about time Minister Johns stood up and did the right thing.

Mr Smitherman: In a minute or two I get to speak for about 20 minutes, but in the meantime I want to take this two-minute opportunity and respond to the comments by the member for Northumberland, coming as we are to the close of our first week of this new—

Mr Galt: On a point of order, Mr Speaker: the response is to the person who spoke.

The Speaker: That's not a point of order. Thank you. The member for Toronto Centre-Rosedale.

Mr Smitherman: In his comments, the member for Northumberland went out of his way to make reference to the issue of GTA gridlock, close as he always is to the matter at hand. I note that this is an issue that confronts him.

We've launched a Web site, GTAGridlock.com, because we know that a lot of residents in the 905 area are increasingly frustrated at the problems of spending three or four hours commuting to work. I would say to the member, who I'm sure drives in from his riding on the fringe of the greater Toronto area, that he ought to be careful. With those brake lights coming on so regularly, and following as close as he is to the Premier, he runs a very real risk of breaking his nose.

We know it's been a good week here, because the members opposite are punchy. Earlier today two of them in the back row of the Tory caucus went out of their way to show me their incredible delight with my work around here by demonstrating their capacity to raise a finger or two in my direction. We saw the Minister of Health, who is puzzled by the problems with respect to the emergency room crisis facing us in the city of Toronto. We saw the Premier of Ontario, not 15 minutes into the question period—prime time for him, a really important part of his job—slam his binder shut and stomp off like a kid running from the playground. The Premier on that day had a hissy fit and he left the sandbox. That's the kind of week it has been here. And the number one government priority this first week back from a long, long session? A bill dealing with the McMichael art gallery.

I look forward to talking more about it.

1700

The Speaker: Responses?

Mr Galt: I'd really compliment the member for Durham for his absolutely brilliant comments on the presentation that I made. I wish I could say the same for the others, but they didn't quite measure up to the member for Durham. That member for Durham is always so focused. He's just dead on the topic and understands. I'm rather pleased that I was able to convince him to support this particular bill.

The member for Toronto Centre-Rosedale was talking about me living on the fringes of Toronto. I want to be very emphatic: I do not live on the fringes of Toronto. I live well into rural Ontario. My whole riding is rural Ontario. It has nothing to do with the fringes of Toronto.

I know that, living in Toronto, especially in the centre, he would like to think that all of Ontario is Toronto and everything is Toronto, but it's not. There are some important areas in Ontario that are outside of Toronto. I know he can't see out that far, but he should get in a car and go for a drive sometime. Go down 401 and see where the Big Apple is. That's just about the centre of my riding. Go visit some of the areas in the riding.

I listened to the member for Simcoe-Lambton and some of her comments about, "This bill will undermine donor confidence." Oh, dear. Here we're going to balance it, put it on a sound financial basis, and she thinks it's going to undermine donor confidence. It was undermined by her government back in 1989, starting with changing the mandate, and it has gone downhill ever since with a whole bunch of obvious confusion. I explained that when I was speaking earlier.

The member for Trinity-Spadina said something about workers' compensation, now the Workplace Safety and Insurance Board. I think he was referring to that; he needed compensation.

Hon Janet Ecker (Minister of Education): Maybe he was thinking about the financial stability we've brought back. I don't know.

Mr Galt: He was upset over the financial stability. He used to be the minister who looked after this. I thought, during his term—they tell me it was rather short, in this particular ministry, anyway—he might have straightened it out, because he's such an eloquent speaker. I do enjoy listening to the member for Trinity-Spadina. Even when he's beating me up, I enjoy listening. He expounds so well. He gets his arms going and he describes things in such detail. He's certainly a very entertaining speaker. But that's all I got from it—entertainment. I didn't get any message. I enjoyed it. What he was trying to say, I'm not sure, but as a previous minister, I was sure that I was going to get a clear message from him.

The Speaker: Further debate?

Mr Smitherman: It's been an interesting week here at the Ontario Legislature. I am honoured to have an opportunity here, as we bring this week to a close, to speak on behalf of my party.

It's an interesting opportunity for me to follow up on the comments, if you will, from the member for Northumberland. He talks about rural Ontario and tries to give me a lesson, but I think he fails to understand that a really significant portion of the greater Toronto area is rural and under extraordinary threat—the agricultural lands particularly—from the policies of his government. The member for Durham, who's here, well knows that. I talked, for example, to the mayor of Scugog to learn a little bit more about that. I don't need any lessons from that member about the area that he represents because I had the honour for four years of working for Hugh O'Neil, a man whose shoes he could only hope to fill.

It's interesting that, in keeping with culture, we want to offer a more appropriate title for this bill. Oftentimes the Harris government comes in with bills that really don't speak to the issue at heart. I think that what we ought to call this one is the Premier, the quarterback and the disgruntled rich guy. What we've really got here is a play that's foisted upon this Legislature its first week back after months and months and months of recess, when the Premier got more golf games in than Bill Clinton or Tiger Woods. The Premier comes forward and orders this as the first piece of business for the government. The legislative priority for the Mike Harris government after months of recess? A bill to deal with the Premier's personal involvement in the McMichael.

I have some sympathy for the minister, who is with us today. I appreciate her. I think she does a good job. She's one of the few ministers on that side who, when she attends events in my riding, has the respect and decency at least to acknowledge my presence. Soon I'm going to have to be heckling at events the ministers are attending just so they'll let people know I'm there.

The minister and, particularly the professional staff in the Ministry of Citizenship, Culture and Recreation, have my heartfelt sympathy because they have been forced to do the Premier's dirty work. Peter Worthington and a few of these other old rich guys got on the phone and told the Premier that he had to go back. They were back to the future; 1965 was here all over again. The minister has been a very loyal servant to the Premier and I applaud her for that, although I do so with extraordinary sympathy.

I do have sympathy for those staff in the ministry because they are professional staff. I had the opportunity to serve, too briefly, as executive assistant to Hugh O'Neil, the Minister of Culture in the late 1980s, and I know of the strong commitment the staff in that ministry make and I know of their distaste for having to take the actions that are before us today.

I'm a strong supporter of culture because it enriches the fabric of the place that I call home and the place where this Legislature is located. Here in downtown Toronto, there are, of course, many people at all levels in the cultural sector who make a contribution to the enrichment of our society. Many of them benefit in a very meaningful way economically. I have not only a lot of people who are some of the more significant contributors to our cultural product, but many of the beneficiaries work in cultural industries in my riding, which is home to many of the most important cultural institutions that are known to our province.

I want to say that we all need to recognize that there are benefactors here. Picking up on the comments of the member from Sarnia, who has done so much work on this issue on behalf of the Liberal Party, we need to send a message out to remind people that just as in the context of big business where investor confidence is an issue, so too is the issue of contributor confidence. This bill and this government's actions on this issue dramatically undermine that.

I want to talk a little bit about the legacy of this contribution that we've heard so much about from the McMichael family. I'm reminded, in having conversations in the last little while, that even before the government decided it had the solution and recipe at hand, six of the seven permanent exhibitions at the McMichael were Group of Seven works. I think that's a really significant point and one that ought not to be lost in the mix of this debate.

I think it's also important on this issue of legacy to keep the contribution of the McMichaels in mind, but also in context. I think we've lost that context because of the government's communications machine, because all these backbenchers sent out to toe the Premier's line for fear that if they didn't, they'd get moved back into a new row that he might there establish.

Since McMichael made the original contribution of paintings, many others have made subsequent contributions equal to or greater than those of the original contribution. I think that's a significant point and one that ought not be lost in this debate. The leverage of the McMichaels notionally, at least from the way we would

look at it, ought to have been saturated and placed in proper context over time; but instead, we've got a government that has the ultimate power. The Premier has weighed in, noted as he is for his very strong understanding and commitment to culture, and he has trumped all of the involvement, all of the history of people who have been playing a role up there.

The government of the day spends a lot of time talking about flip-flopping. They attempt to lay that at the feet and hands of other governments, but I think it's very interesting that on this issue—and in this House today, we have both the minister and a past minister who are seemingly on opposite sides of this issue. We've got one previous minister who defended the interests of the crown and went to court, not once, but twice. They had a rematch, to put this in language that the wrestling-watching members on the other side can understand. That's culture to them. They had a rematch, an appeal that the then-minister supported. At the taxpayer-funded rematch, the government of the day won. The McMichaels attempted to appeal that to the Supreme Court of Canada, where they were not given the right to do so. That was then, but this is now. What happened in the meantime, one wonders. What happened? Well, I think what happened clearly is that an old-fogies crowd of a few powerful, influential Mike Harris insiders, the guys with the direct line to the Premier—perhaps they're his golfing buddies; people like Peter Worthington—got on the phone and got behind their pens and said, "This isn't right," because in 1965 this or that happened. They've been able, because of the Premier's limited attention span or something on these issues, to convince him that this was the right way to go.

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It's interesting that this government, which speaks with a false voice sometimes about its commitment to financial matters, wasted hundreds and hundreds of thousands of dollars on lawyers needlessly, it seems, defending the crown's interest, because they flip-flopped entirely on it. It's a little bit like their commitment to advertising. They don't like to tell us that they've spent, since they got elected, almost a quarter of a billion dollars on partisan advertising.

I want to talk a little bit about the precedent this establishes. I had an opportunity to talk to some other people who have been remarkably generous in their contributions to our Ontario or Canadian cultural product. I have a remarkable constituent, known to many people, by the name of Bluma Appel. Bluma Appel gives freely of her money and she gives freely of her advice, and I love that about her, because she's outspoken. But she said, "Once you give it"—this is a direct quote from Bluma Appel—"it is no longer yours. It is a selfless act and it is given with no strings attached." That is a direct quote from a woman whose name is on a theatre in my riding, the St Lawrence Centre.

That stands in stark contrast to what the government is enabling another seemingly generous contributor to do. But apparently the act from the McMichael family is not

so selfless. I know these are difficult things to say, and some people don't want to acknowledge it, but this guy in 1965 made what we thought was a selfless act, and since then he has been too powerful and too manipulative in terms of what the future of that gallery looks like. I'm going to talk in a second about how his fingerprints are all over a bunch of decisions which the government is now going back on.

Just on this precedent issue, imagine for a minute that all of those people who have made significant contributions to cultural facilities decided that they didn't like the way something was going. Bluma Appel said to me, "I don't like everything they do on the stage at the theatre that has my name on it, but I wouldn't dare to involve myself in it." Imagine if the Tanenbaum family got on the line and decided that they wanted to become micromanagers in the future of the Canadian Opera facility in my riding that has their family's name on it, the significant contribution that they've made. What would people think then? This is the kind of precedent we're establishing. Apparently, you can come to the Ontario Legislature and as long as you can get through to the Premier he'll introduce a piece of legislation that does that.

What about the Thomson family and Roy Thomson Hall? Do you see them micromanaging and trying to manipulate what goes on there? Have they got Mike Harris on their side to try to go back on that? I don't think so. The Premier very rarely participates in these lowbrow debates of ours, but I would be very concerned if he was here, having heard me talk about the Tanenbaum-named building, about the Bluma Appel Theatre and about the Roy Thomson Hall. The Premier might have had a worry go through his head that it would be possible to rename the Air Canada Centre, because that's about as close as he comes to a commitment to culture in this province.

It's noteworthy on this issue of support and concern around this legislation that a significant body, the Ontario Museum Association, understands these issues, understands the very serious concerns associated with the confidence of contributors. I'm going to use the words "investor confidence" again because that's kind of what we're dealing with here. It's contributions, but people are making investments in facilities, and they're only going to do so if they have the confidence that the future of the facility is strong. Over the last 20 years, a lot of people have made very significant contributions.

I note, and I'll say again for the record, that some of the contributions that have been made since the McMichaels' original contribution have been at least equal to and in many cases greater than that original contribution, but that is lost on government members. I think that's a significant point that you at home who might be watching could understand. Over time, the leverage that family has ought to have been saturated in recognition of the fact that many others have come to the table and made those contributions. Why only worry about McMichael? At this point, we are leading to a

crisis of confidence in McMichael that could very well lead to other people who have made selfless contributions saying, "I want my stuff back." I think that is a tragic situation and one that is precipitated by Mike Harris. I think it's a bad policy, and this government ought to recognize that and defeat the bill.

But it isn't only about the selfless acts of contribution of product; it is about all of those people, people like Joan Goldfarb, who served on that board for years, notably appointed by Peterson and reappointed by both Rae and Harris to serve on that board as chair, I believe, for three years. The minister might be able to correct me. She spent not only an extraordinary amount of volunteer time—and her time is in strong demand because she is an extraordinary woman. She contributed a selfless act of time and reputation. With this government's action, they are essentially saying to Joan Goldfarb and to the countless other volunteers and volunteer board members who worked tirelessly on behalf of this place and who used their own personal reputations to reach out to others and say, "Donate, contribute both money and resources and art to this place and it will be properly treated,"—we are throwing all of their reputations into the mud and trampling on them.

Again I ask you, why? All because the Premier of Ontario was able to be reached by these old white guys. I think that's a very serious problem and one that I would encourage the members opposite to look at.

We've heard a lot in this debate that McMichael had lost its way, that we need to get them back to basics. It sound like they just reworked some of their messaging from education reform or something.

I want to talk about a specific artist, a guy named Jack Shadbolt, a well-known artist from British Columbia. When you look at what McMichael wants now, he wants to bring us back to that 17 artists only, and Jack Shadbolt apparently isn't on the OK list now. He's not simpatico with Mr McMichael's most current thoughts about who's in and who's out. But for all of those years after McMichael made his original contribution and served as the artistic director at this facility, during those years, who purchased a Shadbolt using the resources of the McMichael collection? Robert McMichael. It was good enough then but not good enough now. So before we cast him as the saviour and as the one who is seeing things right and bringing us back, I think we've got to understand that through his life and involvement in this place he has demonstrated an extraordinary amount of temperamental whimsy, back and forth, and change of mind as demonstrated in the case of Shadbolt.

We hear about this issue of financial self-sufficiency. I've got to say, firstly, I'm one of those who has an appreciation for the role that culture plays. I know that in difficult times we've got to watch dollars very carefully. In fact, when the Peterson government first came to office the level of subsidy at McMichael was extraordinarily high, at the end of the Bill Davis days. Through the work of people like Joan Goldfarb, as I mentioned earlier, that has declined. Has it stabilized at

zero, as the government would have it? No, it hasn't, but the rate of subsidy is much lower now than then. It declined because there were good fundraisers who worked very hard.

One of the things that's very interesting when you think about making a place a commercial success—it's a bit like Niagara Falls. Niagara Falls was a place that people would go to, they'd look at the falls and they'd leave. Through a variety of things—the casino included among them—people are staying longer in that place. They are leaving more of their dollars behind, and Niagara Falls is a healthier place economically because of it.

1720

Imagine what we're doing: instead of encouraging people to want to go back to the McMichael because it is a living, breathing institution, we are instead saying that it will become only a relic, a mere shadow of its current self that will be so static as to say that if you've been to the McMichael once, you've been, and you have no need to return. To me, as someone who has a modest retailing career, as a businessman, this is, I think, way off track. If we are going to make the McMichael do a better job of paying its way, then we need to have a McMichael that people want to go to, not once so they can say they did it, as I say about white water rafting, but to be able to go back there time and time again.

We hear a lot from this government about the dollars, and the dollar sign reigns supreme even in this argument. But there lies a problem for the government on this one, and the problem is that the facts do not match their rhetoric. This is a government that on the issue of McMichael has been throwing money down the drain, on these legal fees as an example. The minister of the day, the then Minister of Culture, the member from Scarborough Centre, I think, is here before us. Perhaps she should be called to account in saying, "Why did you waste all that money on legal fees when the McMichaels sued the government? Why didn't you just lay down, as we are laying down now, to the temperamental whimsy of someone who made a generous contribution a long time ago and who has traded on it time and time again since?"

I would say that the government is anxious to get this bill out from under them. Why? Firstly, as I said at the top, it doesn't very well reflect the important priorities of Ontarians. Is the McMichael important? Yes, it is. To think that the Legislature is spending all these days, its first days after this months-long break, talking about the McMichael instead of talking about the crisis in health care here in Toronto, as an example, where you can't get into an emergency ward, or dealing with the fact that Walkerton residents, more than four months after first being unable to drink their water, are still without water and with no clear timetable in terms of when that will change; that the government of the day has brought forward this Bill 112, Mike Harris's fancy, being matched by all of the work and effort of the members in this Legislature, I think is a shameful situation.

I would say to the Minister of Citizenship, Culture and Recreation, in some advice that I'm certain she will ignore, go back to your officials and get strong, strong enough so that you understand well enough what your responsibilities are; not to Mike Harris and his whimsy and his football-team-owning new chair who hasn't called a meeting since his appointment, but go back to the Premier and say, "Premier, you know what? I only have a limited amount of credibility and you are putting it at risk, because this bill is meeting with such extraordinary opposition from corners unknown," because anyone who spends more than 15 seconds trying to figure out what's going on here realizes that the Harris government is acting only out of the interest of a few old white guys and without the interest of Ontarians in mind, and certainly without an adequate representation of the importance of the cultural sector in Ontario.

The Speaker: Questions and comments?

Mr Marchese: It might be surprising to the people watching that from time to time the opposition parties agree, and on this one we agree, and would add some comments to elucidate some other matters.

I want to tell you, I think you Tories are endangering this institution. I believe that. You may not believe it, but I think you are. I have accepted the evolution of this institution since its beginning, and I maintained the course when I the Minister of Culture in 1990. I thought it was the right thing then and I still believe it's the right thing now.

In 1989, the Liberal government made some changes which I believe were correct and good. The 1982 statutes mandate was repealed and replaced with a clause which directed the board of trustees to ensure that the focus of the collection be art created by aboriginal and Inuit artists, the Group of Seven and their contemporaries, and "other artists who have or make a contribution to the development of Canadian art." But the additional phrase in the earlier law, "and whose art work and objects will be consistent with the general character of the collection," was dropped. So the "consistent with" was dropped to include other contemporaries, artists who have made and continue to make a contribution to Canadian art.

It's a good thing. It speaks to a living art, and it speaks to allowing people who have the expertise to make that decision.

What you have done with Bill 112, which I say to you is wrong, in fact you are endangering the institution, but also our relationship to people who create art and to its donors. With Bill 112, in section 8, "The board shall ensure that the collection reflects the cultural heritage of Canada and is comprised of artworks and objects and related documentary materials created by or about" the Group of Seven, essentially, leaves that committee of five, that you have set up—friends of the McMichaels, the McMichaels and other friends—the sole decision to determine which of the 3,000 other works of art will be maintained or thrown away. That is wrong. The whole thing is wrong.

Mrs Elliott: I just want to comment on a couple of things that have been said by my colleagues across the way.

They keep asking why this bill is before the House first off in this new session of the Legislature. I guess my only answer to them is, this is a government that finishes things that we start. We keep our promises.

This is one of the bills that was introduced in the last session that wasn't completed before the House rose, and here we are back, following through, very methodically, finishing off what we started. We keep our promises, in the case of the bill to do with the McMichael gallery or in any other particular thing.

It's something that requires a legislative change. We can't do it through policy.

Health care has been mentioned. This is a government that's put unprecedented amounts of money into health care and, quite frankly, the federal government wouldn't even have considered returning even a fraction of the money that they did return to all of the provinces if it hadn't been for Premier Harris's leadership. I think the people of Ontario, first of all, recognize that and I think they truly and deeply appreciate the actions he's taken in that regard.

With regard to the whole issue of the court case, I think it's important to remind people again that the McMichaels took the government to court. They challenged because they were unhappy with the deal that had been set out by the Liberal government, which was the first major variance from the original plan.

We had an obligation as a government to defend that in court and we did so. The lower court decision came forward in November 1996. The unease we had with that particular decision was because art acquisitions would be subjected, then, all across the province to legal challenges and we did not think that was appropriate to the arts community in Ontario.

That's why the court decision was challenged in the court of appeal, because we did not want the question of what is art left up to a judge, just the same as we don't want it left up to politicians. That's why an art advisory committee is in the proposed bill.

Mr Bradley: I enjoyed the member's speech very much. I thought he raised several concerns about the bill that many outside this Legislature, not just members of the Legislature, the Ontario Museum Association—the Ontario Association of Art Galleries today issued a press release expressing very serious concern about the implications of this bill and asking the government not to be the bull in the china shop that they've been on other pieces of legislation, but to slow down and perhaps even withdraw the bill because of its implications.

As well, I heard the member mention the issue of government advertising. We look at how an investment in our art galleries, such as Rodman Hall in St Catharines, would be very beneficial and how much money has been cut back in that regard from what used to be the case, and then I see the government spending \$175 million on what

I think any objective observer would see as self-serving, partisan, blatantly political advertising.

Mr Speaker, you and I were on Global TV back when Robert Fisher was still on Focus Ontario. I can recall, because it's a public forum that was there, that you were, I thought, fair-minded in your approach, which is obviously why you never made it to the Cabinet, because you were not simply ingratiating yourself with the Premier but trying to be fair-minded about it.

Clearly, the amount of money that's being spent on blatantly partisan advertising is totally unacceptable. What I'm surprised at is that the Taxpayers Coalition—in our area used to be headed up by Frank Sheehan—has not caught on to this issue, has not been mortified by the fact this government has spent so much money on clearly partisan advertising.

1730

Mr Frank Mazzilli (London-Fanshawe): At the beginning of this debate I didn't feel compelled to say anything, but then from what I have heard and listened to from across the floor, I found it astounding that people can complain that this government, on behalf of Ontario taxpayers, fought for federal transfers to this province, but yet they can condone taxpayer money going to culture and art and continuing deficits in that regard by opposing this bill. This institution certainly was not well run. It was obvious. The member from Toronto Centre-Rosedale wants those subsidies to continue, at the expense of whom? At the expense of the taxpayers in London, in my riding, who work hard every day to raise their families and so on. He wants the rich Toronto people to be subsidized, downtown Toronto to be subsidized by London.

Mr Smitherman: Yes, we're all rich.

Mr Mazzilli: The member from Toronto Centre-Rosedale keeps talking about the advertisements. You can't oppose, on one side, the government fighting for health dollars, once for our emergency rooms, once for our long-term-care beds, and then on the other hand let subsidies continue to arts in unlimited amounts. Let's continue that direction.

Mr Dominic Agostino (Hamilton East): You've got the wrong briefing notes, Frank.

Mr Mazzilli: On behalf of the taxpayers in London, I certainly will support this bill to put an end to a waste of taxpayers' dollars when it comes to these types of operations in Ontario.

The Speaker: Responses?

Mr Smitherman: I want to say that I appreciate the comments of the member from Trinity-Spadina. He too has a lot of cultural institutions in his riding and understands their importance.

To the member for Guelph-Wellington, what a lame explanation in terms of why this was the first piece of business. If it was such an important piece of business, we could have stayed here longer and we were willing to do that. But you and your Premier are part-timers and were unwilling to stay. So don't try and give us any bunk

about why we had to wait and see this as the first piece of business.

The member from St Catharines is absolutely right about the government's wasteful spending on advertising.

To the member from London-Fanshawe, it is not about my people in Toronto being rich, because we are not. It is because we recognize that because of culture we are enriched. You don't get that. You are like a Web site with only a home page. The member from London-Fanshawe is stuck on this "the folks back in my riding." The other night on television that same member called London "mainstream Ontario" at the expense of all other parts. What does "mainstream Ontario" mean?

Here's what I know about Toronto Centre-Rosedale. It is home to more of our country's poorest than all of London combined, I'm sure. But many of those people who make less are still able to be full participants in society because we have a precedent, a history of governments which wanted to make sure Canada was measured not on the basis of how it treats its best, but how it treats its poorest.

Interjection.

Mr Smitherman: The member from Brampton is here heckling me. Earlier today, he shot me the finger. But he's here—he's the same guy who wanted to audit food banks, so I'm not surprised by this. His war on the poor knows no end.

I know that culture enriches. It is not only for those who are rich but for all, and our society is better because of it. This bill is a terrible bill because it reduces cultural investments and contributions by people in our cultural facilities. It's a bad bill and it ought to be rejected.

The Speaker: Further debate?

Mrs Julia Munro (York North): I'm pleased to rise and add a few comments to the discussion on Bill 112.

The purposes of this bill are very clear: to restore the McMichael collection to sound financial health and to honour the intent of the gallery's original mandate. The original mandate was to collect and display the works of the Group of Seven and other artists who have made contributions to the development of Canadian art. This bill addresses a very specific situation at a specific institution: the very serious financial management and mandate issues at the McMichael and these are inextricably linked. The financial difficulties at the McMichael are, in part, a direct consequence of the controversy that has surrounded the interpretation of the gallery's mandate in recent years.

Last April, when the government learned that the collection was operating at a deficit, an audit was ordered. That independent review found a shortfall of \$1.6 million, a shortfall that was the result of poor fiscal management, of high fundraising costs, of dwindling corporate sponsorships, of weak project management, of high staff levels and of a lack of a formal budget process. The government has already taken action to address these issues. An interim financial manager was appointed to begin implementing the audit's recommendations to improve managerial and financial control.

The McMichael is establishing more rigorous project management for special exhibitions, including break-even requirements, weekly reports on the status of projects, and constant review of project viability. Monthly monitoring of financial results by the ministry has also been introduced.

With Bill 112 as a guide, the McMichael will begin the long climb back to fiscal health, and the government will be supportive. The government will invest \$2 million in the buildings housing the collection. This will be used to complete major repairs to the roof and windows. It will also fund upgrades to the mechanical systems that ensure correct temperatures. By weatherproofing the facilities that house these valuable pieces of Canadian history, we're ensuring a solid, secure future for the McMichael collection.

That is why we are here today: to return an ailing publicly owned institution to financial health.

Thirty-five years ago, Robert and Signe McMichael made a generous gift to the province and the people of Ontario. They gave 194 works by artists whose paintings are synonymous with Ontario and with Canada. Their collection contained works by members of the Group of Seven, but also their contemporaries, names well known to Canadians, such as Emily Carr and Tom Thomson.

At the same time, the McMichaels passed their home and the beautiful property on which it sits to the government to create a permanent address for the collection. The McMichael property is truly a sacred site for Canadian art and artists. Because of their generous gift, millions of Canadians and visitors from around the world have had the chance to experience the work of these great artists in a location that honours their memory. In fact, six members of the Group of Seven are buried in a small cemetery on the grounds. For the residents and business people of Kleinburg, the McMichael collection is a treasured local asset. But in recent years, the McMichael has become better known for its controversy than its art. It is time to ensure the McMichael gallery returns to the intent of its founders.

This bill will return the McMichael collection to the terms outlined in the 1965 agreement with respect to the nature of the collection. This means the collection would be made up of paintings by Tom Thomson, Emily Carr, David Milne, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.E.H. MacDonald, Franklin Carmichael and other artists, including aboriginal artists, who have made contributions to the development of Canadian art.

This legislation will also create an art advisory committee. The committee will review all art currently in the collection and all art being considered for acquisition. It will determine if the art meets the criteria outlined and recommend courses of action to the full board. The art advisory committee will consist of five members; Robert and Signe McMichael will be permanent members. The board will be responsible to the government, which is responsible to this Legislature and, in turn, to the people of Ontario.

1740

The government will have time-limited special powers to ensure the intent of the legislation is achieved, the power to approve the board's choice of executive director and bylaws regulating proceedings and establishing committees. These powers would continue for up to three years or until the collection is brought into compliance with this new legislation.

I believe this legislation restores the purpose for which it was first created. Now the gallery can turn its attention to the business of attracting visitors and donations.

We are not dictating artistic taste or freedom. We are dealing with a specific circumstance in a specific gallery. This is a unique situation. We are solving a financial problem and honouring the intent of a signed agreement, a unique agreement. By honouring this unique agreement, we are assuring that others who make agreements with the government will have them honoured as well.

We are not guardians of art. We are guardians of agreements made by former governments. We are the guardians of taxpayers of Ontario. We are restoring the McMichael to its original purpose to provide a home for the Group of Seven and other artists who have contributed to Canadian art.

Bill 112 gives legislative force to the original intent of the McMichael Canadian Art Collection: the collecting and displaying of the works of the Group of Seven and other artists who have made contributions. Restricting the scope of an art collection to a specific school or style or time period is not a new idea. It certainly isn't the road to ruin some critics would have us believe. Look around the world and you'll see scores of renowned galleries and institutions that have chosen to focus their collections in a particular area.

The fabulous Musée d'Orsay in Paris, for instance, concentrates on the artistic creations of the western world between 1848 and 1914. That gallery's acquisition policy is geared toward completing and enriching its collection both in the traditional domain of painting, sculpture, graphic arts and decorative arts and through collections of period furniture, architecture and photography.

Also in Paris, the Musée National Picasso prides itself on being the largest and most complete collection in the world for getting to know this modern master. The exhibitions at this popular gallery allow visitors to follow Picasso's evolution throughout his illustrious career.

The Van Gogh Museum in Amsterdam attracts art lovers from around the world with its priceless collection of works by Vincent Van Gogh. The museum also has a large collection of works of other 19th-century artists who were contemporaries and friends of Van Gogh, among them Paul Gauguin and Henri de Toulouse-Lautrec.

On this side of the Atlantic, the Norman Rockwell Museum in Stockbridge, Massachusetts, takes pride in presenting works of art that helped define the American identity through the 20th century. The museum's collection spans the 60-year career of this American icon.

The Rodin Museum in Philadelphia was founded in 1923 by movie theatre magnate Jules Mastbaum, who wanted to enrich the lives of his fellow citizens. He assembled a complete view of Rodin's work, including sculptures, drawings, prints, letters and books. The museum today is regarded as the finest Rodin collection outside of Paris.

Here in Canada, Calgary's Glenbow Art Gallery primarily portrays the history and development of the northwest. The collections of the Musée de l'Amérique française in Quebec City depict the settlement, development and dynamism of French culture in North America. The Tom Thomson Memorial Art Gallery in Owen Sound celebrates the rich artistic legacy of one of Canada's most famous painters.

Who could argue with the success and popularity of these institutions? Focusing their efforts in a particular area has not damaged their credibility or driven away audiences or stifled artistic freedom. Indeed, it has had the exact opposite effect. These public institutions are dynamic testaments to how a clear mandate can serve as the foundation for creative vitality and fiscal prosperity.

Much of the comment that we have heard in the last day or two with regard to this particular bill has changed its focus to some degree to look at some of the engaging criticisms of the question of the support for the arts. I would like to take the few remaining moments I have to counter some of the ideas that have been put forward by looking at some of the achievements in arts funding in this province this year. I think it is an important opportunity to recognize the current status in this province of the kind of leadership we have demonstrated in support for the arts.

The Ontario Arts Council is the recipient of almost \$25 million to support its operations in the year 2000-01. The May budget announced a \$10-million capital maintenance allocation for the ministry's cultural agencies, including the Ontario Arts Council. As one of the major beneficiaries, then, this translates into a number of initiatives that have a direct impact on the artistic life of our province. For instance, this has allowed the Ontario Arts Council to provide almost 2,000 individual grants. Over \$3.6 million of this has gone directly to just under 1,200 individual grants. I would suggest to you that even as brief an overview as that one item gives you a sense of the kind of commitment that exists.

Some \$17.2 million has gone to individual arts organizations throughout the province. As well, in the budget, \$50 million was announced for the renewal of the arts endowment fund. This is a new commitment for \$25 million over three years, \$5 million in 2000-01 and \$10 million in each of the following two years. The original \$25-million endowment fund to match and invest money for participating arts organizations was created in 1998. I

can tell you that there are many organizations that have been able to take advantage of this. In fact, by the end of July, 201 arts organizations had registered to take part in this fund. As a result of this, 151 organizations have paid monies into their endowment funds and have received a total of \$18.1 million matching government funds. This is a particularly valuable endowment fund, as it allows individual community organizations across the province to be able to embark on individual initiatives.

One of the other most important aspects of arts funding is to provide an opportunity for people to learn more about the cultural attractions in our province. This fund is at \$20 million, and it allows cultural organizations to develop and promote major new events and exhibitions that would increase the number of visitors to the venues across the province. It is delivered by an arm's-length corporation, the Ontario Cultural Attractions Fund corporation. To date, the fund has been able to help in the support of 19 different projects. We know from the work that is done by these that they in turn contribute a great deal to the economies of the communities in which those attractions reside.

The Art Gallery of Ontario, as a world-class institution, was the recipient of \$11.2 million. This allows them to continue that particular institution and world-class organization.

There is also a cultural strategic development fund that has received just under \$1 million, and from there 27 projects were funded in 1999-2000. This allows the fund to act as a tool that enables the ministry to partner with organizations in the arts, heritage or cultural industries to carry out one-time projects of strategic significance to a broad sector.

From this kind of outline, you can see that the initiative we are looking at today is only one of many that will ensure we have continued programs throughout the province that will ensure a healthy and vibrant future for, frankly, the many hundreds of community initiatives, individuals who are able to benefit from the initiatives and the funding programs that are available.

I think when you look at this, it is in the context of a much broader picture that demonstrates the commitment of this government and this ministry to ensure the future of art in this province. The McMichael gallery is simply coming back to its original focus. It is being provided with the kind of financial stability that will provide a future for those generations of people who have come to recognize how important the collection is that is housed in the McMichael as part of our Canadian identity. It is certainly a tribute to their foresight in ensuring that would continue.

The Speaker: It now being almost 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1754.

ERRATA

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of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
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(Hansard)**

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Monday 2 October 2000

Lundi 2 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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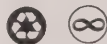
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 2 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 2 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

EDUCATION FUNDING

Ms Caroline Di Cocco (Sarnia-Lambton): I attended two full days at school in my riding of Sarnia-Lambton, and what I found was overcrowded classrooms. The principals and teachers told me they had never seen such high numbers in the classroom.

My riding had no previous problems with extra-curricular activities, but today, since Bill 74, we have had many extracurricular activities dropped at school in my riding. I found classes did not have enough textbooks. Science labs do not work, and there is no money to renovate and repair them. Students identified with learning disabilities have lost the resource teachers who could assist them.

Dalton McGuinty and the Liberal caucus know and understand that a well-educated society is our most valuable resource in order to compete in this post-industrial age.

United States legislators say they must create environments whereby educators are valued. The United States has increased investment in education and is working aggressively to recruit teachers by giving financial incentives to attract and retain teachers. The Harris government is doing exactly the opposite. It has a confrontational, arrogant approach that devalues and disrespects educators. It has no plans to address the problems, and I believe it is jeopardizing the future of this province.

SMALL BUSINESS MONTH

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): October is Small Business Month in Ontario. I am pleased to rise in the Legislature today to pay tribute to small businesses in Ontario. This month celebrates the enormous contribution that small businesses make to job creation. In Ontario, businesses with less than 50 employees created approximately 80% of the three quarters of a million net new jobs ever since our government took office.

Businesses are changing, and we need to create an environment to encourage even more job creation. In 20 years, the number of women owning businesses has

doubled. More than 43% of new business starters are young people between the ages of 25 and 34. Our government has helped by cutting red tape and taxes for small businesses. We have a Web site full of useful information at www.Ontario-Canada.com/smallbusiness. Our government has worked hard to provide the right economic conditions for business investment and growth, but it is Ontario's entrepreneurs who have run with the new-found opportunities and succeeded tremendously.

I am proud to support the small businesses in my community and throughout Ontario for the wonderful work they are doing to keep Ontario strong.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): No one would ever believe that Mike Harris claims to represent a northern Ontario riding, not when the statements he made last week demonstrate such ignorance of the realities of northern Ontario residents.

The Premier suggested that health travel grants are discriminatory to southern Ontarians, who do not receive a grant when they have to travel to get health care—unless, of course, it is to get cancer care, when all their travel, accommodation and meal costs are covered. Northern Ontario residents who have to travel to get cancer care receive a maximum grant of \$420. It's pretty clear where the discrimination lies.

Let's make another thing clear: only northern Ontario residents are expected to travel long distances on a regular basis to get health care. This is not a temporary situation for northerners, and it is not just about cancer care.

I have constituents who bring young children 1,600 kilometres to get treatment for leukemia, but I also have constituents who spend weeks in Toronto waiting for kidney or liver transplants. I have many constituents who have to travel to Toronto, Hamilton or London for cardiac surgery. I have single parents who don't know how they can afford to take a sick child to Winnipeg, which is 500 miles away, for the treatment of a neurological disorder. This woman has to make repeated trips, and she cannot go and come back in a single day. The maximum grant any one of these people receives is \$420 for their trip, no matter what it costs them.

These people are spending tens of thousands of dollars to get medically necessary care. They are exhausting pension funds and mortgaging houses to get the health care that is supposed to be universally available at no

cost. They are being treated unfairly and unequally, and the Premier should realize that.

ONTARIO AGRICULTURE WEEK

Mr Bert Johnson (Perth-Middlesex): I'm pleased to rise in the House today to proclaim that this is Ontario Agriculture Week 2000.

This morning I kicked off the third annual Ontario Agriculture Week, with help from my colleague the Minister of Agriculture, Food and Rural Affairs, along with representatives from the Ontario Federation of Agriculture, junior farmers and many other commodity organizations.

I also want to thank the members from all parties who joined us this morning for breakfast. Agriculture Week is an opportunity to recognize Ontario farmers and the importance of our agri-food industry.

I was born and raised on a farm. The hard work and dedication of my parents when raising our family was truly an example of what makes the farmers of Ontario great. The strength of our province depends upon farmers, and I'm proud to be the representative for some of Ontario's best. The people from places like Mitchell, Lucan, Listowel, Granton, Milverton, Ailsa Craig, Ilderton and St Marys all work to provide for others.

This week we give thanks to those who do not often receive the recognition they deserve. This year in particular it's important to provide recognition to those farmers who have had a difficult year due to inclement weather conditions and low commodity prices. I'd like to thank the farmers in my riding of Perth-Middlesex and the thousands of other farmers across the province for their contribution to the quality of life of our citizens.

This week, take a moment to salute our agricultural communities and farm families.

OLYMPIC ATHLETES

Mr John Gerretsen (Kingston and the Islands): I'm honoured to rise in the House today to pay tribute to a special group of talented and dedicated individuals, Ontario's Olympic athletes.

In particular, I would like to recognize the tremendous accomplishment of Sharon Donnelly of Kingston, who despite tremendous adversity and a near disastrous bicycle crash completed the race with dignity, showing tremendous courage and utmost determination.

Simon Whitfield's gold medal is truly legendary. His dash to the finish line had all of us shouting encouragement, leaping with joy and crying tears of happiness as he crossed. I personally know that his parents, Geoff and Linda Whitfield, have always provided him with positive support and encouragement. They instilled in him the love of all sports and encouraged him to pursue his dream of winning gold at the Olympics.

Little did we realize a dozen or so years ago, when our sons and daughters played together with Simon on a variety of sports teams, that the spirited prankster and

agile soccer goalie would one day realize his dream of winning gold.

But what is equally important is the impressive manner in which he handled himself following his victory. His good humour and self-assurance, his tributes and concern for the other participants and his love and pride for Canada speak volumes of a young man of whom we can all be justly proud. He will truly serve as an outstanding role model for all our young people.

Congratulations, Simon. Your victory made all Canadians, especially all Kingstonians, extremely proud.

ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Toronto-Danforth): Over and over, we hear from Mike Harris and his ministers talk about the economic health of Ontario. But what about the health of Ontarians? What about the health of Ontario's environment? All the tax cuts and \$200 cheques are of no help to the people of Ontario if they do not have safe water to drink and can't breathe the air because it is so polluted.

Take the Minister of the Environment's announcement of a SWAT team. What a cruel joke: 65 temporary staff, the majority taken from other positions within the ministry, to deal with a crisis this government has caused by its cuts and its firing of qualified staff.

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Perhaps the minister would like to hire some of the SWAT extras from the movie production that is being filmed across the street. There are certainly more Chicago police extras hired for that movie than the minister's 65-member SWAT team. But that is not surprising. The Minister of the Environment is in charge of a bad, low-budget horror film—Dan's Environmental Horror Show—one that can't even hire enough people to protect Ontarians. So it tries to fool the public by having people play multiple roles: scientist in the morning, environmental officer in the afternoon and SWAT team member at night. But unlike the B movies of Hollywood that bomb at the box office, the consequences of failure here are much more serious.

In the United States they are celebrating 25 years of having a safe drinking water act, and I can guarantee you we will in time have a safe drinking water act in Ontario.

COMMUNITY LIVING MONTH

Mr Doug Galt (Northumberland): October is Community Living Month. We all live, work and play in our communities. But if we cannot participate in the common daily activities of our community, we are unable to enjoy all the benefits that life can provide.

For the past 40 years, the Campbellford and District Association for Community Living has played an intrinsic role in the lives of many of my constituents. It's an important organization that has nurtured and supported developmentally disabled children and adults within Campbellford, Brighton, Warkworth and surrounding

areas. The ultimate goal of the association is to develop a community that works to realize the dreams and aspirations of all.

Back in August, I visited the Association for Community Living and toured their resource centre with the Minister of Community and Social Services. We were truly amazed at the success of this organization. Success is what recently earned them the three-year Award of Accreditation, the highest level possible in the field. This was awarded by Accreditation Ontario following a quality review which recognized the excellent standard of service that the Association for Community Living provides for people with disabilities.

Everyone in our communities should have an equal opportunity. To kick-start Community Living Month, I know that you join with me in saluting the Campbellford and District Association for Community Living for their continuing effort in providing outstanding services and support to people with disabilities.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Ernie Parsons (Prince Edward-Hastings): My statement today is to the Premier. The citizens of Ontario listened last week with interest to your priority speech regarding your so-called promises kept and promises to be fulfilled.

Premier, we're not aware that you'd made a promise to waste thousands of taxpayers' dollars by giving the McMichael art collection back to the McMichaels, despite winning a Court of Appeal decision stating the opposite. Ontarians are shocked that this item has been your first priority.

We're only too aware, however, that you committed in writing in 1995 to bring in an effective and meaningful Ontarians with Disabilities Act. In 1998, this House approved 11 principles for this act to follow. In 1999, the House unanimously approved a resolution establishing a timeline for the act.

Today, still no act. Instead of helping the disabled, you've in fact made matters worse. You've cut funding to programs designed to assist the disabled. This is unacceptable.

Premier, a visually impaired person cannot to this day enter this Legislative Building and have access to an elevator with Braille buttons. There are 1.5 million citizens with disabilities in this province. If you don't care about the disabled, if you're not going to fulfill your promise to pass an Ontarians with Disabilities Act, be honest and say so.

NIAGARA GRAPE AND WINE FESTIVAL

Mr Bart Maves (Niagara Falls): As one of the proud members representing a riding in the Niagara region, it gives me great pleasure to speak of the Niagara Grape and Wine Festival that just wrapped up this past weekend.

The festival is 49 years old and has been recognized by Attractions Canada for the third year in a row as Ontario's top cultural event.

Just last week, Tim Hudak and I along with Minister Jackson awarded the festival \$25,000 in funding from the Ontario Tourism Marketing Partnership Corp to assist in promotion and marketing.

On the weekend, I joined the member for St Catharines and the member for Welland-Thorold on the reviewing stand for the excellent parade that goes hand in hand with the grape and wine festival every year.

I would like to acknowledge this year's grape king, Matthew Speck, viticulturist and vice-president of Henry of Pelham Family Estate Winery. Mr Speck happens to be the festival's youngest ever grape king. Congratulations also to Jim Clark, vice-president and general manager of Colio Estate Winery. Colio was named winery of the year.

Over the past five years our government has worked with the grape and wine industry and will continue to do so to improve competitiveness both domestically and internationally.

Every year the grape and wine festival is held in recognition of the grape and wine industry's ongoing excellence in the production of quality wines. The grape and wine festival continues to be a great way to show off Ontario's wine and grape industry.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I seek unanimous consent to put forward a motion regarding sitting on Monday, November 13.

The Speaker (Hon Gary Carr): Is unanimous consent agreed? Agreed.

Hon Mr Sterling: I move that when this House adjourns on Thursday, November 2, 2000, it stand adjourned until Tuesday, November 14, 2000.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Hon Mr Sterling: I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, October 3, 2000, for the purpose of considering government business.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

PIERRE ELLIOTT TRUDEAU

Mr Dalton McGuinty (Leader of the Opposition): I seek unanimous consent that a statement be made by a representative of each party in honour of the memory of former Prime Minister Pierre Elliott Trudeau.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

We'll start with the Leader of the Opposition.

Mr McGuinty: Pierre Elliott Trudeau: what a man, what a leader and what a legacy. Quel homme, quel chef, et quel héritage qu'il nous a laissé.

When a man this great leaves us, many want to claim him as their own. I can tell you that we certainly feel that impulse. After all, we're Liberals and he was ours. Perhaps as politicians, all of us in this chamber feel he was one of us.

Some have said that Trudeau simply belongs to Canadians. I met one of those Canadians in my constituency office this past Friday. He was about 70 years of age and his accent was still thick, although he had come to Canada during the Trudeau years and made a home here for his young family. This man wept openly when he told me how much he loved Mr Trudeau. He didn't say he admired Mr Trudeau and he didn't say he respected Mr Trudeau; his feelings went beyond that. He said he loved him. For this man and for the millions of others who are proud Canadians first and everything else second, Mr Trudeau was theirs.

While many will claim him, the truth is that Pierre Elliott Trudeau was his own man. Always. If he belongs to anyone left on this earth, he belongs to those who loved him, not as a leader or as a legend but simply as a man. So let me start today by offering, on behalf of the Ontario Liberals, our sympathy to those closest to him, those who were at his bedside when he left us; his sons Justin and Sacha, and his former wife, Margaret.

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A man this great inspires strong emotion from all who knew him, even those who merely watched him from afar. But a special kind of love and a very deep kind of grief is reserved for family. Our first thoughts and our prayers are reserved for them. Let us not trample on their place in his life in our rush to feel that he belonged to us.

Un homme de cette stature inspire de fortes émotions à tous ceux et celles qui l'ont connu, même ceux et celles qui l'ont regardé de loin. Mais l'amour spécial et le deuil profond sont réservés à la famille, et nos premières pensées et nos prières leur sont adressées. N'essayons pas d'usurper leur place dans sa vie dans notre hâte de l'accaparer.

Pierre Elliott Trudeau—now there was a man. His friends knew him as charming, witty and intellectual. His political opponents knew him as tough, relentless, even ruthless. He was often controversial, he was never ignored and he was always a good and loving father to his sons.

Trudeau the man may have been many things to many people but he was absolutely steadfast in being true to

himself. All of us, and I mean all of us in politics in this country, are compared to him. Sixteen years after he left the Prime Minister's office, we are still compared to him.

Do any of us compare to that man? I think not. And there's no shame in this. There's only the one Pierre Trudeau and there will never be another.

It seems to me that if all of us in public life could together draw one lesson from Trudeau the man, it would be this: just as he was true to himself, so should we be true to ourselves. So should we be strengthened always by the courage of our convictions. What a man and what a leader.

His vision was crystal clear: a just society, our own Constitution, bilingualism and multiculturalism, the Charter of Rights and Freedoms, a strong central government, a strong and united Canada.

Sa vision était cristalline: une société juste, notre propre constitution, le bilinguisme, la Charte des droits, un gouvernement central fort, un Canada fort et toujours uni.

Today too often we confuse standing for something with standing behind ideology. Trudeau wouldn't suffer the restrictions of ideology. He was driven by ideas and inspired by ideals. He fought for those in a unique and powerful way. He actually fused passion and reason. If the sheer power of his passion didn't blast obstacles out of his path, then the precision of his argument would reduce them to rubble.

He didn't fret about headlines. He thought about history and our place in it. Who else could have stood up so boldly to those who sought to divide this country, those who came to the table armed with their phony arguments and those who came in the night, simply armed?

In the continuing struggle to keep this country whole, Canadians have never had a stronger champion. What a leader. What a legacy.

I suspect that Mr Trudeau, a writer and man of reason, would measure his own success in tangible ways: legislation passed, a Constitution patriated, the words in our Charter of Rights and Freedoms, perhaps. But I propose that we measure Mr Trudeau's success in another way—in the lives of our children. For the job of a leader is not to resurrect the past or simply react to the present; the job of a leader is to shape the future. Our sons and daughters may not have met the exciting young politician that we met in 1968 or the accomplished Prime Minister that we bid farewell to in 1984, but they know his Canada. They know a Canada where they can learn both official languages in their schools. They know a Canada where our definition of "special status" is being lucky enough to carry a Canadian passport. They know a Canada where multiculturalism is a fact. They know a Canada that is a symbol of tolerance and freedom to the entire world. They know a Canada that is strong and united and always worth fighting for. They know his Canada, Trudeau's Canada, because it's the Canada they are living in.

What a legacy. What a leader. And what a man was Pierre Elliott Trudeau.

Mr David Christopherson (Hamilton West): It's with great honour that I rise on behalf of the NDP caucus to pay tribute to our most famous former Prime Minister.

During his time, as now, Canada was held out in the world as a place of great hope. Our focus and his focus on democracy, on fairness, on sharing, on compassion, on understanding that our obligations to each other go beyond our own provincial borders and our own national borders and indeed encompass the world: this happened at a time long before globalization was taking place. Still, countries around the world look to Canada because Canada is seen as a country with a lot of the inherent problems that many older nations have in terms of the stresses and pressures upon our nation, and yet a successful country as we're able to hold the country together, as we keep it bound together.

Mr Trudeau in many ways reflected that energy. I would say that only in Canada would a middle-aged man represent youth and vigour and vitality, but that's exactly what happened. Around the world, people took note, and like at home, not everyone agreed with the direction that Mr Trudeau took.

There are many of us who have secret confessions that have to be made about Mr Trudeau when it comes to politics. The federal election of October 30, 1972, happened to be three weeks after I became old enough to vote. Not being active politically other than hearing about John Diefenbaker and how wonderful he was because he was my grandmother's family lawyer back in Saskatchewan, there wasn't a lot of political exposure in my life at that time. I walked into that voting booth and I can remember thinking, "Well, he's prepared to trust me. I guess I'll trust him." I cast that vote. It was very much for Trudeau, and it was very much for the fact that this was the individual that I thought at that time gave me the right to vote. That meant a lot to me. That unspoken and, to Mr Trudeau, completely unknown bond between the two of us was first broken by him in terms of wage and price controls, and later by me when I joined the New Democratic Party. Yet in no way do I feel that was an inappropriate vote at that time for where I was in life and for what was happening in this country.

Much of what Mr Trudeau brought to Canada has been the foundation of the expansion of Canada as a modern democracy, as a leading democracy. It has also been the foundation of some of our greatest turmoil, and continues to be. Yet can there be a Canadian ever who was not moved, was not touched in some way, by Trudeauania? Even now, my daughter at eight years old is exposed to the reflective glory of Trudeauania and is learning what was happening in the 1960s, 1970s and into the 1980s.

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It's a tribute to Mr Trudeau that there is the outpouring of emotion that there is. It's not like us to do that; it's very un-Canadian. We think of that more in terms of our friends to the south. Yet when anyone has moved us as much as Mr Trudeau has, I don't think it's unreasonable

to expect there would be the outpouring in the sense of an era having passed.

I say to members of this House and to all Canadians that the NDP caucus extends its very heartfelt condolences to his former wife and his two sons, as we did, oh, not so long ago when their youngest son died, and also to his daughter. We would only wish that when all of this grief leaves us as a nation, the family is able to find some personal peace, which I suspect they are having trouble finding at this moment.

Thank you all very much.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I guess this privilege comes to me as the longest-serving member in our caucus and perhaps one of the few members of the government caucus who had the opportunity to meet Mr Trudeau on a number of occasions.

The first time I met Pierre Elliott Trudeau was during a law class at the University of Ottawa. Mr Trudeau at that point in time was our justice minister for Canada. Having graduated, as you know, Mr Speaker, from engineering and always appreciating a person who used logic and reason to get to a point of decision, I must say I was most impressed with Pierre Elliott Trudeau and his ability to reason, through logic to come to a reasonable, logical and sometimes brilliant conclusion. I walked away from that day, I can remember, most impressed, not only impressed with Pierre Elliott Trudeau but impressed that our political system attracted people of the calibre that Pierre Elliott Trudeau was then and was, I think, during his period of time in politics.

I also had the opportunity to sit at the constitutional table with Mr Trudeau in the early 1980s, when I was responsible for aboriginal affairs for the William Davis government, and witness first-hand his ability to control, to share, and to be pragmatic in reaching and coming to conclusions and dealing with some very diverse and difficult interests.

I was amused when Mr Christopherson from the New Democratic Party admitted he had voted for Mr Trudeau in 1972. I think this is the first time that I could put Mr Christopherson and Ralph Klein into the same kind of room, because I understand that Mr Klein made the same mistake back at that time. I do admit that I, along with Mr Christopherson and Mr Klein, also made the same mistake, and I think that is really a testament to the brilliance of this man. I, of course, like many other people, after that period of time worked very diligently on the other side of the ledger, but it was perhaps for me at that point in time a recognition of Mr Trudeau's ability to capture perhaps what the younger generation was seeking of Canada and was seeking of political leaders.

I will remember Pierre Elliott Trudeau of course for a number of reasons which have been enumerated so many times over the last weekend when one turned on the television or listened to the radio. But I think his conviction for Canada, as a federalist coming from Quebec, was perhaps the most significant thing to me as an English Ontarian. I appreciated how difficult his task was

back home in Quebec and how skilfully he was able to speak to the people of Quebec and hold them to our country and convince them that being part of our country was more important than being on their own.

The Premier, who unfortunately is not able to be with us, wanted me to express his personal condolences, his grief to the Trudeau family, and particularly to his sons Justin and Sacha.

I would say to his family and to all the people who have been involved with Pierre Elliott Trudeau, we appreciated the time that they gave Pierre Trudeau to the rest of Canada. He did some great things for our country, and he will never be forgotten.

The Speaker: I thank all the members for their participation. We will ensure that copies of the Hansard go to the family members.

ORAL QUESTIONS

AGRICORP

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Agriculture. Our farmers have had a very bad summer. It's been too cold and too wet, and commodity prices have been too low. Farmers have an insurance program to help them out in times like these, and your job is to safeguard that insurance money. But it turns out that last fall, Agricorp, a body for which you are responsible, started day trading with farmers' insurance money and lost over \$300,000.

Minister, can you tell us why, on your watch, you permitted people at Agricorp to play with farmers' insurance money and lose \$300,000?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I thank the honourable member for the question. I want to assure honourable members and all those who are listening today that I share the concern that farmers' money needs to be protected. The farm insurance programs and all the safety net programs administered by Agricorp are what the farmers depend on, and they need to be assured that that money will be available to them when the need arises.

I can assure you that when it was found out that the situation at Agricorp was that some actions had been taken with money that shouldn't have been taken, we immediately asked the Provincial Auditor to look at the matter. He did, and made recommendations as to some things we should do to ensure this would not happen again. We have taken all those measures. But I want to assure the member opposite and all the farmers in Ontario that at no time was any money that was designated for the farm assistance program or the farm safety net program in danger or used for these purposes.

Mr McGuinty: Minister, you shut the barn door after the horses had escaped. Just as in the case of Walkerton where we had a government-run water inspection service which was turned over to the private sector, turned away

from government, you took a program that had been run by the government, turned it elsewhere and didn't put in place proper rules to ensure that this kind of thing could never happen. You said that what happened there was not illegal. You said they didn't break any rules. Why is it that your government didn't put in place rules at the outset that would absolutely safeguard this money for farmers, and what have you done today to ensure this can never happen again in the future?

Hon Mr Hardeman: Again, I want to point out that the losses at Agricorp are regrettable. I don't think anyone would wish that that should happen, particularly with money that was there to administer the program on behalf of the farmers, and in this case, the farmers were not given the opportunity to be part of the decision-making as to how that money should be used.

I want to assure you that all the money the member is referring to has been absorbed in the operation budget of Agricorp to make sure that none of this money will come out of the safety net and the insurance program for the farmers. We want to assure you also that with the assistance of the Provincial Auditor and all the other people involved at Agricorp, we have put in controls to make sure that something like this could never happen again.

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The Speaker (Hon Gary Carr): Final supplementary?

Mr Steve Peters (Elgin-Middlesex-London): The issue of trading practices at Agricorp could not have come at a worse time. Since your government has taken power, you've taken millions of dollars from provincial safety nets. Now we find that an additional \$300,000 has been lost from the fund. The farmers in this province are losing faith in the very system that is supposed to be there to protect them from failed crops. Not since the year of no summer in 1992 have farmers faced such devastating weather, resulting in 100,000 acres left unseeded and drastically reduced yields. By all accounts, we could easily see \$140 million in crop insurance payouts. That is more than four times the amount that was paid out for last year's crop.

Minister, in your letter to me, which I received on September 13, you said that the \$300,000 was absorbed from its start-up capital. That is unacceptable. A dollar lost is a dollar lost. What steps are you taking to recover the \$300,000 that is missing?

Hon Mr Hardeman: Again, I want to say that the loss is inappropriate, and I don't think anyone could justify the action taken at Agricorp. I believe that's why, in conjunction with the Provincial Auditor, we took immediate action to put the systems in place so that this would not happen again.

But I want to refer to the honourable member's question as to the commitment of this government to the safety net program. I agree with him that we have had a tremendously difficult growing season for our farmers, because a lot of the crops have been lost through spring flooding, through inclement weather through the growing

season, and in fact now we are all suffering through the lowest commodity prices that we've had in a great number of years. I want to assure you that the crop insurance program, the market revenue program and indeed the whole safety net program is funded in order to make sure that we can make those required payments to our farmers. In fact, this year in our budget we have \$120 million of safety net money, which is about a third or half more than we had in previous years—

The Speaker: The minister's time is up.

WASTE MANAGEMENT

Mr David Ramsay (Timiskaming-Cochrane): I have a question today to the Minister of Natural Resources. As the Minister of Natural Resources, your sworn duty is to protect Ontario, to be the Ontario protector of our rivers and our lakes. In fact, your ministry's business plan states that the ministry acts as the custodian of our natural legacy and safeguards the public interest in Ontario's resources.

Minister, the proposal to ship millions of tonnes of Toronto's garbage to the Adams mine threatens the very future of our lakes and streams. It will contaminate billions of litres of water over its lifetime. But you have been silent. As the custodian of our natural resources, why this silence?

Hon John Snobelen (Minister of Natural Resources): I'll refer this question to my colleague the Minister of the Environment.

Hon Dan Newman (Minister of the Environment): In fact, there was the environmental assessment process that was undertaken with respect to the Adams mine project. There were the Environmental Assessment Board hearings that took place. There were judicial reviews of the process that took place with respect to that project. There was an appeal of that process as well. The experts reported back, and all environmental safeguards have indeed been protected.

Mr Ramsay: Minister, you continue your silence on this project. Maybe it's because of your involvement with Waste Management Inc. Shortly after joining the cabinet, you sold your 100% interest in Jarsno Equipment and Mid-Ontario Equipment to Waste Management Inc, which you know is a major partner in the Adams mine project. But your business dealings didn't stop with the selling of these companies to Waste Management, which, by the way, could earn hundreds of millions of dollars from the Adams proposal. It didn't end there. According to this lease that we have here, over the last five years you have received \$10,000 per month from Waste Management Inc for land that you still own in Mississauga. It also stipulates that Waste Management Inc pay all the taxes, assessments, fees and utilities. Minister, over the last five years, you have cleared \$600,000 from the company that is at the centre of the Adams mine proposal. With this in mind, I ask you again, as the custodian of our natural resources, why have you been strangely silent on this proposal?

Hon Mr Newman: Speaker, I refer that question to the Minister of Natural Resources.

Hon Mr Snobelen: I thank the member opposite for asking the question. Yes, indeed, I did own a company engaged in the trucking industry in the province of Ontario for many years; that's been publicly disclosed. Yes, I sold it to one of the largest waste companies in the world on a cash-for-shares basis when I assumed this office; that's publicly disclosed. And yes, the conditions of that sale have been publicly disclosed. There is no issue with any of those.

To update the member opposite, although it's not necessary to, the rental of properties that he alludes to today was discontinued some two years ago.

Mr Ramsay: According to the lease here—and again, I agree these may be unimportant—the lease just expired last month.

Interjection.

Mr Ramsay: I have the lease right here and we can check it later if you'd like.

Last week I stated that the Adams mine EA was a fraud. I cited the Integrity Commissioner's investigation into the Premier's 10-year involvement with this project and I noted that your government hired the proponent's lawyer to rewrite the EA act to get this thing passed, which he did, representing Notre Development at the scoped hearing, which took only 15 days to get this largest landfill in North America passed.

Minister, your silence on this issue shows that you've not only failed in your duty as minister, but your involvement with Waste Management now tells us why. It appears that the fix was in from the very beginning, that this EA was a fraud.

Will you now stand up for our natural legacy and join me in calling for a full environment assessment hearing on the Adams mine proposal?

Hon Mr Snobelen: I take my job in this government very seriously. I take my role in this government very seriously. I take the role of the Ministry of Natural Resources very seriously. I can tell you that while there is a discussion going on now about the disposal of solid waste, I suspect it's a discussion that's been going on for some 50 years in this province, if not longer. I can tell you that I don't think the discussion is helped by insinuations as made by the minister opposite today. I think they are unhelpful and in fact they are very, very inaccurate.

The Speaker (Hon Gary Carr): New question.

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment: Minister, you killed one law, you rewrote another, you took campaign contributions from the American company that will run the site, you brought in the Adams mine lawyer to change the terms of the environmental assessment, and you put the water of thousands of Ontarians and Quebecers and the Timiskaming First Nation at risk. Why? To help the Premier's friend get rich? To get \$74,000 in your campaign funds? This project is wrong and your so-called environmental assessment of the Adams lake is a fraud. It was rigged. Don't poison our water. Don't invite another Walkerton.

Minister, will you revoke the approval of the Adams mine scheme today?

Hon Mr Newman: This project has undergone extensive and thorough technical analysis to ensure that the environment was protected over the long term. I think that's important to know. As part of our commitment to protecting the environment, the Ministry of the Environment ensured that a full environmental assessment took place. The Minister of the Environment of the day requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system with respect to the groundwater. There was a certificate of approval issued after further technical analysis on the report, and that certificate carried with it 66 conditions. In fact, there were eight independent peer reviews that carefully analyzed the details of the plan and submitted their reviews to the Environmental Assessment Board.

Ms Churley: Well, this is cold comfort, coming from the government that gave us Walkerton. Minister, I ask you, is there anything you wouldn't do to push through the Adams mine deal? When Ontario law stopped the Premier's high school chum, Gordon McGuinty, from getting rich by shipping Toronto's garbage to Kirkland Lake, what did you do? You scrapped the law. When the plan was obviously so bad it couldn't pass an environmental assessment, you brought in Mr McGuinty's own lawyer, Robert Power, to rewrite the Environmental Assessment Act so that the deal would pass. After rigging the EA, you let Mr Power tell the EA board how to approve the Adams mine under the very changes he promoted. He was so good at it that your Premier made him chair of the Trillium Foundation.

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Minister, to push the Adams mine you rigged the law and ignored the most incredible conflict of interest at the EA hearing. When are you going to admit that something stinks here—

The Speaker: The member's time is up.

Hon Mr Newman: Let's do something different; let's talk about the facts. Let's look at Rail Cycle North's contributions to the NDP in 1999—Cameco, \$7,500 donated to the NDP in Ontario. So it takes a lot of nerve to have the member opposite come here and lecture this government on protection of the environment after a full environmental assessment took place, after there were Environmental Assessment Board hearings, after the certificate of approval with 66 conditions applied to it and after the eight independent peer reviews that took place in that project. It takes a lot of nerve coming from that member and that party.

Ms Churley: Minister, the fact is the American company that's buying this landfill gave you a couple of thousand dollars every year until 1999, and then all of a sudden they gave you \$75,000.

I ask you again, what is your price? How much does it take to get you to site a landfill in a beautiful lake, a landfill that should never be built? Is helping the Premier's high school friend Gordon McGuinty so important that you are—

Interjections.

The Speaker: Would the member take her seat. Minister of Education, come to order, please. Sorry for the interruption.

Ms Churley: Minister, is helping the Premier's high school friend Gordon McGuinty so important that you are ready to poison groundwater and surface water in Ontario and Quebec for hundreds of years, or is it because the US waste company, Waste Management, gave your party \$74,000 for its re-election campaign? I ask you again, is that the price? Is that what the people of Ontario have to do to get you to stop this crazy scheme, give you—

The Speaker: The member's time is up.

Hon Mr Newman: The only crazy thing there is the question. I want to tell you that waste management is a growing global problem and also a very emotional issue. We've seen that. I want to assure you, Mr Speaker, and the member opposite that this government takes very seriously its responsibility to preserve and protect the environment. The project has undergone extensive and thorough technical analysis to ensure that the environment is indeed protected over the long term. That's the role and responsibility of the Ministry of the Environment. Again, there was a full environmental assessment; there were the Environmental Assessment Board hearings, which lasted six months, and the board actually attached 62 conditions to the plan; the certificate of approval was issued after further technical analysis—66 conditions; and as well, eight independent peer reviews on the project.

WOMEN'S CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the Deputy Premier—and it's to you, not to the minister responsible for women's issues. I want to know if you will immediately rescind the order of your women's issues minister to cut grants to at least four Ontario women's centres. She allowed funding cuts to women's centres and specifically to programs for survivors of domestic abuse in the very week your Premier claimed to make domestic violence a priority. Women's centres are the front-line community resource that are accessible and help women get the services they need to help themselves. They put power in women's own hands to stop the violence and protect themselves from violence.

Just a week and a half ago, a coalition of over 95 women's groups who are demanding implementation of an emergency package to save women's lives called on your government to increase funding to women's centres by \$2 million. Instead, the very next day you cut grants to at least four women's centres, threatening their very existence.

Deputy Premier, will you give truth and meaning to your Premier's own words? Will you order immediate restoration of the grants that have been cancelled to Ontario's women's centres?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know that the minister of the women's directorate wants to answer this question; otherwise I would. I'll refer it.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me just, first off, say that I actually can't believe this question. Their research is incredible.

In 1999-2000, the money we put into women's centres in the province was \$850,000. In 2000-01, that number climbed by \$500,000 and we're now funding at \$1.3 million. We're going to increase the number next year to \$1.9 million.

This year 30 women's centres are receiving funding and that includes 18 new centres—18 new women's centres. We're doubling the amount of money people can receive, from \$45,000 to \$90,000, and we have more and more money being put into that area.

I don't know where the question's coming from but it just doesn't make sense.

Ms Lankin: Minister, cut the rhetoric and deal with the facts. The money that you put into the Ontario Women's Directorate, you put in to go to employment development programs, not women's centres. You're sending them to generic agencies, not women's centres. The grants that you have cut this year and last year and the year before are grants from core funding from existing women's centres that are out there on the front lines.

The program that you cut just last week in North York was a program that dealt with survivors of abuse. You said to them that because it wasn't focused on women leaving violent situations, you weren't going to fund them. So what do you want, those women to go back to the violent situations and then you'll give the centre the money? They were helping them take the next step forward in their lives, the next step to keep free from violence. And you cut that money.

Minister, six women died this summer; 44 women have died since May 1les. May 1les's jury recommended expansion of community supports. Your government has not done that. If you want a program to support employment development, go for it—I support you on that—but don't take money away from existing programs in women's centres to fund it.

I want to know if you will stand up for women, if you'll join with the Liberal critic and I and insist that your Premier meet with that coalition of women's organizations and respond to the package of emergency measures to be implemented this fall to save women's lives.

Hon Mrs Johns: There's no question that this government is committed to making sure that domestic violence is minimized. We will not tolerate domestic violence.

Let me say, in this particular example, that in one of the proposals that I received, and I'm not saying which women's shelter it was from, they asked for \$300,000 to help 10 women in the province of Ontario. The 30 programs we decided on will help 500 women find new jobs, 123 women start new businesses, 102 women become

better informed about career options, 160 women pursue further training to meet employment needs; 250 women will be able to leave abusive relationships through enhanced economic opportunities, 182 women will improve their personal safety and 60 women will receive assistance for children's custody.

This government's doing more for women than has been done in the past by either of these two and I can't believe they're asking this question.

CORRECTIONAL FACILITIES

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Correctional Services. I understand he's making his way back as I speak.

The Speaker (Hon Gary Carr): Just stop the clock for a quick moment. I understand he was supposed to be here. I see the chief government whip is out; he may be trying to track him down.

Hon Frank Klees (Minister without Portfolio): The minister has just arrived.

The Speaker: We'll start the clock again. The leader of the official opposition.

Mr McGuinty: Minister, I have a question about your dangerous plan to privatize jails in Ontario. When I travelled the province this summer, I had the opportunity to speak with many Ontarians on many topics. One of the recurring issues was your plan to privatize jails.

Police told me that they're against it. Communities which might serve as hosts for these private jails told me they were against it. People who work in our correctional services told me they were against this plan. Victims of violence told me they were against this plan.

They're all against it because it is clear from international experience that private jails are more dangerous than public jails. So can you tell me, Minister, why you are insisting on proceeding with a plan which experience has shown will be dangerous to the Ontario public?

1430

Hon Rob Sampson (Minister of Correctional Services): We are making reforms in corrections because it's a business of this government that has not had the attention of previous governments. What has happened? A lack of focus on how to properly rehabilitate inmates; a lack of focus on whether we have the appropriate institutions in the appropriate parts of this province to house inmates and deal with the responsibilities of the criminal justice system as laid at our feet; a lack of focus on safety and security for those not only inside the institutions but outside the institutions.

These are problems with the publicly operated system in this province. So to stand in this House and say that the challenges of corrections across the globe should be laid solely at the feet of a private operator is inaccurate. It's inaccurate here in this province, it's inaccurate across the country and it's inaccurate in every jurisdiction in this country. When will you—

The Speaker: The minister's time is up. Supplementary?

Mr McGuinty: Minister, your first priority is to public safety. That's what it's all about. The international experience tells us that publicly owned and operated jails are considerably safer than privately run jails. That's the experience. The jury is in. We don't need to conduct a dangerous experiment here in Ontario.

Take a look at some of the facts. Assaults on correctional officers in private facilities in the States are 50% higher than in public jails. California has shown that prisoners are 37 times more likely to escape from private prisons than from government-run facilities.

Minister, you might want to consider the economic aspect of this. The US General Accounting Office reported in 1991 and 1996 that private jails did not save money. They are more dangerous, they don't save money, our police don't want them, our communities don't want them, our correctional services people don't want them, we don't want them. Who in Ontario wants them?

Hon Mr Sampson: What the people of Ontario want is a correctional system that will indeed have some impact on the lives of the individuals who go through that system.

The member wants to speak to the experience south of the border. What I think he's trying to say is that we intend to import the failed private experiment south of the border. We're not. I've said that many times. I agree with him; we don't want to do that here. What we want in Ontario is a correctional system that will deal with its job, which is to incarcerate and properly rehabilitate individuals.

The Leader of the Opposition believes that today's correctional system in this province is a model for the rest to follow. That model is allowing 80% of those who come in the front door to reoffend when they leave the correctional system. That's the measure of success by the Leader of the Opposition—

Interjections.

VISITORS

The Speaker (Hon Gary Carr): Order. We'll stop the clock for a moment. I hate to interrupt question period and the flow of questions, but we have an honoured guest who unfortunately does have to leave.

I am pleased to inform the members of the Legislative Assembly that we have with us today in the Speaker's gallery the Honourable Stephen Kakfwi, Premier of the Northwest Territories, and assistant Linda Sorenson. Please join with me in welcoming the Premier of the Northwest Territories.

New Question.

COMMUNITY SAFETY

Mr Steve Gilchrist (Scarborough East): My question is for the Solicitor General. It has to do with something very important to the people of Ontario and Scarborough East, namely, public safety.

I know our government believes that one of the best ways to improve community safety is to invest money in front-line policing. I've done some research, and over the summer—

Interjection.

The Speaker (Hon Gary Carr): Order. Member, take your seat. Member for Windsor West, come to order, please. I can't hear the question.

Sorry, member for Scarborough East.

Mr Gilchrist: Thank you, Mr Speaker.

During the summer, I know our government presented a cheque for \$2.2 million to Chief Julian Fantino of the Toronto Police Service as part of our community policing partnership program. Through that partnership, I know the Toronto Police Service will get an additional 250 front-line officers. To date, 192 of those officers are actually on the street, and I know many of them are at 42 division serving my riding.

Last year we gave \$106,000 to the Toronto Police Service for their Reduce Impaired Driving Everywhere program, or RIDE. That means that since 1995 our government has given over a half-million dollars to their RIDE program.

Through our Partners in Community Safety program, Toronto has received over \$11 million to support front-line officers.

Minister, all these investments have been made by our government to help keep the streets of Toronto safe. Could you please tell the House whether this is all our investment or whether we've made other investments to make sure Toronto and other—

The Speaker: I'm afraid the member's time is up.

Hon David H. Tsubouchi (Solicitor General): I appreciate the question from the member for Scarborough East. It gives me an opportunity to talk about public safety.

The battle against crime takes place not only on the front lines, which is very important, but also through investments to the Centre of Forensic Sciences. I'm pleased to say that the Centre of Forensic Sciences for Ontario is recognized worldwide as one of the leaders in their field.

As a result of and as a follow-up to the Bernardo investigation, we had Mr Justice Archie Campbell provide a report. Through that report, certain recommendations were made in terms of public safety. That resulted in about \$25 million being invested, but this is invested in certain areas such as the establishment of the serial and predator crime unit in 1997, which operates out of our police services division. Certainly the establishment of the provincial violent crime linkage analysis system, which is able to analyze a large number of criminal occurrences and provide an analysis to common suspects, and certainly DNA testing is the quickest in the entire—

The Speaker: I'm afraid the minister's time is up. Supplementary?

Mr Gilchrist: I appreciate the fact that despite the opposition members' attempts to paint a doom-and-gloom picture, there are good-news stories out there. It's great to hear we are supporting a wide range of initiatives

to fight crime, something the other parties disagree with and vote against every chance they get.

You mentioned that our investment in the Centre of Forensic Sciences has led to a reduction in DNA turnaround time. The connection of DNA evidence is obviously one of the most important crime-fighting tools to come along in many years.

Recently, the federal government introduced a national DNA data bank. I know our government supports the concept of a national DNA data bank, but we have some concerns about the effectiveness of the current system. I, like all Ontarians, was shocked to see on the front pages of our papers pictures of Karla Homolka enjoying birthday celebrations inside Club Fed, a federal Liberal prison.

Minister, could you tell my constituents of Scarborough East and the people of Ontario how our concerns over the current national DNA data bank are related to the Liberal policy of being soft on criminals?

Hon Mr Tsubouchi: Like the member for Scarborough East and most Ontarians, I was quite dismayed by what I saw in the newspapers the other day.

The DNA data bank is a very important first step we have in order to clamp down on crimes and help investigations. But we need more data, and the problem here is the retroactive collection of DNA. The federal government has decided to define very narrowly who we can get retroactive DNA from, which means you have to be either a serial murderer, a serial rapist or designated as a dangerous offender. That means you have to be a serial killer or a rapist to have your DNA taken retroactively. I believe that one homicide or one rape should be enough to qualify you to have your DNA taken. I don't believe this is rocket science.

We need to press the federal government. We need to make sure they have to take DNA samples from all criminals who are in our penitentiaries. I think it's an important step to ensure public safety in Ontario.

CHILDREN WITH SPECIAL NEEDS

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. I want to ask about the sham you make of helping special-needs students in this province, because all around this province are special-needs kids who are falling through the cracks that you have made in the school system. You and your government have reduced funds available to the boards over the last five years and left them to pick up the pieces. You make a show of putting a little money back this year. Instead, what's happening is that boards are out of pocket and, to add insult to injury, you're making them do documentation, paperwork, taking on tests and so on. Parents in one board have spent \$10,000 just on the medical letters. One board has spent \$1 million worth of special education time just to qualify for your funding that then you won't provide.

Minister, will you admit here today that the \$4 million missing from one board in Hamilton, for example, is your

responsibility and that you will fund all of the special-needs cases that can be demonstrated on the part of school boards across the province? Will you put kids first someplace outside of your—

The Speaker (Hon Gary Carr): Minister of Education.

Hon Janet Ecker (Minister of Education): Only a Liberal could turn a 12% increase in funding into a cut. We are spending \$1.3 billion on special education in this province because it is a key priority. It is an important support for students out there with special needs. They deserve to have the opportunity to learn like every other student.

I should also remind the honourable member, since again his facts are in error, this is the third year in a row—the third year—that this funding for school boards has increased. Maybe the honourable member would simply like us to hand out cheques to school boards without any accountability, without ensuring that the money is going out for special needs and that those special-needs dollars are being used for those students in the appropriate way. That's not what the experts told us needed to be done. That's not what parents said. That's not what school boards said. They want a way to fund that is accountable to parents and those students—

The Speaker: The minister's time is up. Supplementary?

Mrs Marie Bountrogianni (Hamilton Mountain): I'd like to make you aware of something that I'm really hoping you are unaware of. I'd like to make you aware of a detail that perhaps your bureaucrats haven't told you about, a crack that kids are falling through in Ontario.

In the past, kids in the borderline range of intelligence—in the olden days we used to call them the slow learners—were eligible to get educational assistance and extra resources. With the recent changes to special education funding, they are ineligible. When we did research on this seven years ago at McMaster and at the Hamilton Board of Education, we found that these kids actually went on to community colleges and technical schools with the appropriate support. This isn't going to happen if this criterion isn't reinstated.

I'll tell you about Justin at St Teresa of Avila School in the separate school board of Hamilton. He came home yesterday in tears, his mother said, and called himself dumb because he recognizes that he's not the same as his peers. If the education assistance is not reinstated, parents know they have a major crisis. He is eight years old, he's in grade 3, he's of average intelligence, but he's so severe that he can't even read yet and yet he can be successful with the proper resources. Minister, will you tell me here today that you will look into this crack and fix it?

Hon Mrs Ecker: First of all, there have been no changes in criteria this year. Secondly, the reason school boards get special-needs funding that they can use flexibly—whether it's the Justins or whoever—is so that this money is not tied to an individual child. The school boards said to us, "We need special-needs money that is

flexible so we can deal with the Justins and all of the others who have difficulties," so they don't have to be categorizing and labelling every single child in their school board. That's not appropriate. The funding that—

Interjection.

Hon Mrs Ecker: If the critic over there would be quiet and listen once, he might understand what is going on. School boards get resources for children with special needs in a general pot so they can use it flexibly. That money has increased for school boards. They also get additional monies for those who might well have higher needs. That amount has also increased. They have the flexibility—

The Speaker: The minister's time is up. New question.

ENVIRONMENTAL CLEANUP

Mr Doug Galt (Northumberland): My question is for the Minister of Municipal Affairs and Housing. There are various municipalities, lenders and community environmental groups that are showing an interest in redeveloping contaminated properties—

Interjection.

The Speaker (Hon Gary Carr): The member for Parkdale-High Park, come to order. Take a seat. Member for Parkdale-High Park, please come to order. Member for Northumberland.

Mr Galt: My question is directed to the Minister of Municipal Affairs and Housing. Minister, various municipalities, lenders, community environmental groups have been showing an interest in redeveloping contaminated properties that were previously owned by commercial and industrial companies. They've referred to these sites and facilities as "brownfields" and there's been a real success story with a brownfield in my riding.

In the downtown waterfront area of Cobourg, landowners, the public and the municipal government got together to clean up and redevelop land that had been contaminated with petroleum, hydrocarbons and heavy metals, which I understand are typical harbourfront contaminants from historical port, railway and oil storage operations. The proposed use of the new land will be mixed residential, commercial, open space, marina, campground, waterfront trail and sandy beaches—indeed, good news.

Minister, could you please tell me, is this good news spreading in Ontario? Is the brownfield redevelopment something that our government is examining as an option for other areas in the great province of Ontario.

Hon Tony Clement (Minister of Municipal Affairs and Housing): Yes, Mr Speaker, the honourable member is quite correct. This is part of our strategy.

Two weeks ago, I, along with Minister Palladini and Minister Newman, announced the appointment of an advisory panel to provide expert advice on the environmental cleanup and the rejuvenation of old industrial and commercial sites, like brownfields. It's going to advise the government on policy improvements, to encourage

and facilitate the voluntary cleanup of these sites. They will consider matters like clarifying liability, increasing financial incentives and streamlining the planning process. We'll be working together with other stakeholders to identify improvements to brownfield redevelopment through possible legislative changes. This will lead to action. This is a win-win proposition.

In the case of the member's riding in Northumberland, Ontarians are already reaping the benefits of brownfield redevelopment. It's good for the environment, good for human health. It's an alternative to urban sprawl, and we're proud to be part of that.

Mr Galt: Thank you very much for the excellent response and the fact that this good news is spreading throughout Ontario, because it certainly has been good news for the town of Cobourg. It is certainly a concern for all of us, because many of these sites have been contaminated in the past from their previous use.

Minister, what is the province going to do to ensure that the redevelopment of brownfields will indeed be safe?

Hon Mr Clement: That's exactly the point. The honourable member has hit the nail on the head. You have to clean up these sites and clean up the contamination before you can proceed with redevelopment.

We have a system of checks and balances in Ontario right now to ensure that people are protected. The Ministry of the Environment, if I may say so, encourages a proponent to follow the ministry's guidelines for use at contaminated sites in Ontario; it was released in 1996. But the whole idea of this is to encourage more cleanup, encourage more of these sites to be re-used, cleaned up and then redeveloped for residential, for new economy, for new industrial and commercial purposes. That's the whole idea behind this. We're going to move from the right ideas to the right action so that we don't have to churn up that extra acre of farmland or that extra acre of woodland. That's a commitment of our government and I'm proud to be part of a government that has Mike Harris as a Premier, that has recognized this as important priority, more so than any other government, and we're going to follow through on it.

WATER EXTRACTION

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. Minister, let me paint a picture for you here: the Adams mine lake is so large you could drop SkyDome into it and still have room for another—

Interjection.

Ms Churley: It is a lake, I say to the Deputy Premier.

But you plan to deliberately contaminate that lake. Minister, this plan will contaminate drinking water in Ontario and Quebec for up to 1,000 years. They will continue—

The Speaker (Hon Gary Carr): Take a seat.

The member for Parkdale-High Park, I warn but once. The member for Parkdale-High Park.

Interjections.

The Speaker: Thank you to the member for Willowdale. I'll handle it or he'll be named. I can't hear the question. You're talking across—you didn't even see me standing. This will be the last warning for the member for Parkdale-High Park.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, on a point of order: The minister was clearly involved in this—

The Speaker: I say to the House leader—

Interjections.

The Speaker: Take a seat. It's not a point of order, and I will control the members in this House, I say to all members, one way or another, and it doesn't matter to me. If we sit here and don't have question period, the members can explain to the leaders why we're not going to have question period. If need be, I'll stand here for the entire hour and the clock will click down. The pages and I are in good enough shape for an hour and you can explain to the leadership why there are no questions. It doesn't matter to me.

The member for Toronto-Danforth.

1450

Ms Churley: The plan will deliberately contaminate, on a daily basis, millions of litres of pristine groundwater by washing Toronto's garbage. Isn't that ridiculous? The one small mercy, Minister, is that you still have a chance to redeem yourself here, because they can't drain that pit every day unless you give them a special permit to take water. Minister, do you intend to enforce the law and make the proponent apply for a permit to take water before they can build and operate such a system?

Hon Dan Newman (Minister of the Environment): I want to say to the member opposite that there are two approvals required from this ministry before the proponent can begin de-watering operations at the site. De-watering is necessary to expose the south pit and begin construction of a leachate collection system. These two approvals are a permit to remove water from the pit and a section 53 sewage works approval under the Ontario Water Resources Act for discharge of water into the natural environment.

While a permit to take water is to allow for de-watering of the south pit, no water may be taken under the permit until the proponent obtains the Ontario Water Resources Act approval. This application is currently being reviewed by the ministry. I want to indicate that the water from the pit meets provincial water quality objectives and is intended to be discharged through old mine tailings and pond settlements and then into the Misema River.

Ms Churley: Minister, I'm not sure if you said you're actually going to give that permit or not, but I want an assurance from you today that when whoever of those proponents who wants to run that landfill applies for a permit to take water, you will require that application to be posted on the registry for extensive public review and comments—or will you try and use loopholes once again to keep this from public view?

Minister, I'm asking you to do the right thing today. Will you make that commitment, or will you tell the thousands of people in Quebec and Ontario that you are so ashamed of this plan that you are going to continue to try to hide it from public view? My heavens, after what happened in Walkerton—this is an experimental system. The most comprehensive hearings are needed and the public need to be involved. Will you give that assurance today?

Hon Mr Newman: The permit was released in a draft form to the company on August 10 of this year, and to the members of the public liaison committee stakeholders on August 15 of this year. Comments were accepted until October 31, 2000. Some 99 comments were received and were reviewed by the director. Obviously, he's reviewing those comments.

The member opposite raises the item with respect to Quebec. I know the environment ministry in the province of Quebec has indicated today through a press release that, "It appears from this analysis that the project will have no significant environmental impact on Lake Timiskaming, as long as the proponent abides by the conditions set out in the certificate of authorization by the Ministry of Environment." This is the Quebec government speaking today on the Adams mine.

ENERGY COMPETITION

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Energy and it concerns electricity policy. Minister, you continually say that the Harris government is interested in and supportive of competition in its electricity policy, yet in terms of the retailing of electricity we are seeing across the province the re-monopolization of Ontario Hydro. Thanks to the unfair advantages that your government has given to your company, Ontario Hydro, now called Hydro One, Hydro One is going around the province of Ontario, in small and large centres, buying up local utilities, and we're told by outside experts that in many cases they are paying premium prices for these purchases.

My question to you today, on behalf of the electricity consumers, is, why are we seeing the re-monopolization of Ontario Hydro Retail, and how is it possible that this re-monopolization is occurring under your noses, which tell us we're about to get competition?

Hon Jim Wilson (Minister of Energy, Science and Technology): The honourable member has a couple of concepts mixed up. The retailing of electricity has nothing to do with the monopoly wires businesses that Hydro One is going around and buying up. Under law, those have to be two separate entities, and no cross-subsidization is allowed between retailing—by the way, there's lots of competition emerging in retailing of electricity.

We have over 40 applications before the Ontario Energy Board; 26 of those, I believe, have been approved to date. That's 40 more companies in the business than when the old Ontario Hydro was a full monopoly wires

business, monopoly generating business and monopoly retailing business, and had 93% of the Ontario market. That's all been divided into separate companies. There's no cross-subsidization between them.

Hydro One, by the way, in the monopoly business, which is not competitive, just the wires—there's only one wire in front of your house. We don't run six wires across the field as if there was some competition in electrons; there isn't. There's one wire. Just like the CRTC, along with the federal government, controls Bell Canada's wires, the OEB is regulating Hydro One and municipalities who have been given the privilege of running monopoly wires businesses.

Mr Conway: Bullfeathers. Every day the Globe and Mail has another story. Today—

Interjection.

Mr Conway: Last week she said she couldn't hear.

The Speaker (Hon Gary Carr): Stop the clock. Members will know that this member is usually quiet during this. He does not usually heckle people. He would appreciate the same courtesy.

I understand that sometimes when members get up who have heckled other people in the past, it is almost fair game. This is a member who is usually very quiet.

Supplementary?

Mr Conway: Every day the papers contain ads: today, a big ad from the energy board that your company, Hydro One, is out buying the distribution assets of the utility in Lanark Highlands. They've already got 42 either in place or about to be purchased.

We are seeing the re-monopolization of Ontario Hydro at a cost that is going to be considerable to the ratepayers. Just a few weeks ago the Canadian bond rating agency put out a bulletin saying, "Yes, Bill 100 is very good news for Hydro One." What's going on here? My colleague from Brant tells me, as other members are saying, that orderly restructuring of electricity distribution in their communities—Brant county is a good example—is being completely frustrated by your company. Ontario Hydro is out there skewing the works in their favour, and they can do so because your government, through Bill 35 and Bill 100, has given them an unfair advantage, and they are taking it at full sail.

By the way, we are apparently about to be told that your company is soon going to announce the takeover of some of the big utilities in 905, Brampton being the one I'm hearing about. So the question remains, you talk competition, but your company, the company you control, the company where you have a big vested interest, is out re-monopolizing the distribution system of much of this province. How is that happening, and why is that happening?

Hon Mr Wilson: I am astounded by the lack of facts from a former energy minister.

The distribution business in this province is a monopoly. They are wires. Just like Bell has telephone wires that are a monopoly, the federal government and the CRTC make sure that AT&T, Sprint and other companies can put their phone calls on those wires. But those wires

are a monopoly, and the rates of return are controlled by a public interest body, in this case called the Ontario Energy Board. For the first time, by the way, consumers will be protected in the distribution wires business in this province.

Hydro One is a generic name for 25 different companies that are under there. If you read the ad the honourable member refers to, I think it's probably Hydro One Networks. By the way, Hydro One Networks buys back distribution systems—again, it's a monopoly; the rate of return is controlled by the Ontario Energy Board to protect consumers. I'm told that if all 70 of their applications actually went through, they would become approximately as large as they were in terms of the rural distribution system they owned in the old days under Ontario Hydro before the NDP introduced Bill 86 and started to sell—

The Speaker: Answer.

Hon Mr Wilson:—those distribution assets at below-market value, stealing assets from the old Ontario Hydro and giving them to municipalities. They'll have approximately 1.2 million customers when they're done, just like they did in the old days. So it's not a re-monopolization—

The Speaker: The minister's time is up.

1500

SCHOOL EXTRACURRICULAR ACTIVITIES

Mrs Brenda Elliott (Guelph-Wellington): My question is for the Minister of Education. Twice last week I met with students from Guelph Collegiate and Vocational Institute, from John F. Ross high school and from Centennial Collegiate and Vocational Institute. These students are clearly very upset, because teachers are withholding their co-instructional activities. The students who came to my office last week are confused as to what is going on. The local union bargaining representative has told the local media that each teacher is making his or her own decision as to what, if any, co-instructional activities they will supervise. But when the students talk to the teachers themselves, they are saying the union has instructed them not to participate in co-instructional activities.

I have in my hand hundreds of names of students who are very upset about this matter. What do I tell these students who are caught between the conflicted feelings of their teachers and the political posturing of the union boss?

Hon Janet Ecker (Minister of Education): Thank you for a very important question. I too have met and discussed this issue with a number of students. They're frustrated, and they should be. They should be angry, and they are angry. I have recommended and suggested that rather than walk out of class, it might be a little more helpful if they met with their student trustees and expressed their views that way, because they very much have a view which needs to be heard in this.

Unfortunately, we don't sit at the table to bargain those local agreements. In some communities, that local agreement, that local bargaining has resulted in solutions. We think those are very good; they've been very helpful. But at the same time, we are monitoring the situation, staying in touch with school boards in terms of what is occurring. I think we need to be very clear that we have literally thousands of teachers who are choosing to do this. In other communities, we have work to rule, which is not—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary?

Mrs Elliott: I too am very sympathetic to these students. As a mother who has four kids who have gone through school, I know that for some students their extracurricular activities are just as important as the academic instruction they receive. These students have told me they are entitled to one school dance a year, no yearbook, and activities like sports, drama and band are cancelled. They are saying this is because of Bill 74.

Minister, would you clarify for my students in Wellington county what changes this government is making and why they were necessary?

Hon Mrs Ecker: We've been very clear with our education partners, as we were with the voters, that we were going to set educational quality standards. I've asked for advice and input on how best to do this, whether it's the new, tougher, more rigorous curriculum, whether it's the report card, whether it's standardized testing for students, whether it's the teacher testing program—all the initiatives we committed to the voters we would do. I've asked for input and advice on how best to do them.

But to choose to take out a political disagreement on the students, to work to rule, which unfortunately some teachers are doing, is not acceptable. We have literally thousands of teachers, even in Durham region, who are doing extracurriculars. When the students came to them and said, "We would like these activities," they did them.

We are being prudent in steps we are taking, because there are communities where they are settling and resolving these issues. But with school boards and the ministry, we will take additional steps if that is what is required.

GASOLINE PRICES

Mr Monte Kwinter (York Centre): I have a question to the Minister of Economic Development and Trade. Diesel fuel prices are continuing to rise. They went up 60% to 70% last year. They're still going up. This is causing great financial hardship to about 1,800 independent truckers in Ontario.

Last week, when you were asked a question by my colleague from Renfrew-Nipissing-Pembroke, you had the following to say:

"This government has certainly taken an active role by helping facilitate meetings within the industry itself and coming up with eventual answers that will address some of those concerns and some of those issues. I'm really

pleased with the way that sectors of the industry have responded, and I think the surcharge rebate has been one of the highly rated topics, and many shippers have already come onside."

Minister, it's my understanding that the province of Ontario and the trucking industry have failed to reach an agreement on these surcharges. What are your plans now to avoid an economic disaster for these 1,800 independent truckers in Ontario?

Hon Al Palladini (Minister of Economic Development and Trade): I thank the honourable member for the question. Certainly it is a topic that has not only interested the independent truckers of this province but also individuals because we all feel the pinch at the gas pumps.

One of the things I have been saying all along is that I wanted to be a facilitator in making sure that we're bringing the groups together so we can address not only the fuel surcharge but also some of the other issues within the trucking industry.

We put together a working group. I'm happy to report that the working group has in fact met. There are two scheduled meetings this week that will address some of the other issues that we need to talk about as well as fuel charges.

As I said, I believe our government has to lead by example. In order to get the shippers onside, I think we as a government have to do our part, and we are doing that.

Mr Kwinter: Mr Minister, we are now faced with the prospect of truckers continuing their protests by parking their rigs along the side of the road and even taking it one step further and putting in place a complete blockade of Ontario's highways. If this were to happen, it would have a serious impact on Ontario's economy and a devastating effect on Ontario industries that depend on just-in-time delivery provided by Ontario's trucking industry.

You have also said—you said this in your response last week and you actually repeated it today—that your government is going to lead by example and that you are going to have to come to the table at one point or another. Minister, there are only three options, other than doing nothing, which seems to be what you're doing, and they are: cut taxes, offer subsidies or increase the fuel supply. Two of those three options are within your government's ability to aid Ontario's truckers and to help them cope with the soaring operating costs.

Mr Minister, the question I have for you is, when are you going to come to the table?

Hon Mr Palladini: I do believe that this is an opportunity for us to maintain calm. Certainly truckers in the province of Ontario have shown faith in our government's ability to facilitate the much-needed meetings that are going to be required to look at, again, not just the fuel surcharge issue but the overall industry within the industry.

We are addressing that. The working group, with Brock Smith as chair, is going to be facilitating these meetings with Industry Canada, with the Ministry of Transport of Canada as well, along with the shippers, the carriers and the petroleum people, to address not just the

fuel surcharge but other issues within the industry. I would like to repeat that once more.

This government is leading by example because this government has come to the table and the announcement that this government made on Friday, going retroactive back to January 1—

The Speaker: The minister's time is up.
New question.

ONTARIO YOUTH COUNCIL

Mr John O'Toole (Durham): My question today is to Minister Marland, the minister responsible for children. Minister, I read recently in the paper of an important new initiative under your careful direction, the formation of the Ontario Youth Council. As a parent of five children, I can tell you this is an important opportunity for young people to have a real direct voice with you yourself.

I can tell you, and you would know as well that in my riding, in Durham, we have a lot of very effective young people who are looking forward to this opportunity of working and participating in government. Minister, could you tell me perhaps about the formation of the council and how it will operate and when it will take place? Now, I don't want to put you on the spot here, but can you assure me that there will be a place for one of my young people in Durham?

Hon Margaret Marland (Minister without Portfolio [Children]): We are very excited about the Ontario Youth Council and we certainly need more than one minute to talk about it. But I will assure the member for Durham that there are indeed wonderful, bright, talented people all over this province, and we're looking forward to hearing from them through the children's secretariat Web site and through every member in this House's office.

You will all have received information about the Ontario Youth Council. We invite all secondary-school-aged students to apply for membership. We're looking forward to an enormous response, because as the minister responsible for children, it's going to help me be an advocate for children and youth at the cabinet table. We look forward to hearing from all the secondary-school-aged students in this province who are interested in advising and serving the government and the people of this province for their future.

The Speaker (Hon Gary Carr): The member's time is up.

1510

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): The patients at the Northeastern Cancer Treatment Centre were angered by the Premier's comments last week about the northern health travel grant and asked me to present this petition.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I proudly affix my signature to this petition.

ADULT ENTERTAINMENT

Mr Peter Kormos (Niagara Centre): I've got a petition to the Legislature of Ontario.

"Whereas, by virtue of the common law, and the fact that the city of London is unable to give effect to the clear public interest in prohibiting businesses which offer adult entertainment services from operating within the city of London;

"We, the undersigned, petition the Legislature of Ontario as follows:

"The Legislature of the province of Ontario is hereby requested to consider the enactment of an amendment to section 225 of the Municipal Act ... as amended, so as to authorize the council of a local municipality, at its option to prohibit the establishment of businesses which offer adult entertainment services at any location within the municipality if such a prohibition is deemed to be within the public interest, by bylaw duly enacted for that purpose."

The New Democratic Party supports this request. I have signed this petition on behalf of the NDP caucus here at Queen's Park, and I submit it to you now, sir.

DIABETES TREATMENT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I rise today to present a petition in the Legislative Assembly of Ontario. It reads as follows:

"Whereas diabetes costs Canadian taxpayers a bundle. It is the leading cause of hospitalization in Canada. Some

people with diabetes simply cannot afford the ongoing expense of managing diabetes. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood, and even reuse lancets and needles. These budget-saving measures can often have disastrous health care consequences;

"Whereas persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes. We think it is in all Ontarians' and the government's best interest to support diabetics with the supplies that each individual needs to obtain the best glucose control possible. As you all know, good control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control.

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are suggesting that all diabetic supplies as prescribed by an endocrinologist be covered under the Ontario health insurance plan."

I affix my signature in support.

EDUCATION FUNDING

Mr Richard Patten (Ottawa Centre): This is but a small sample of parents from my particular riding.

"To the Legislative Assembly of Ontario, the Premier and the Minister of Education:

"Whereas the current school funding formula needs to be amended to allow for flexibility in considering unique qualities in inner-city neighbourhood schools; and

"Whereas the current formula will render vibrant city centres like Ottawa unattractive to families as a result of school closures;

"We therefore request an immediate review and amendment of the formula to address the unique situations of inner-city schools and ensure quality schools for all.

"In addition, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, strongly object to the closing of Ottawa's Elgin Street public school, a vital and essential part of the social, economic and civic life of our community. One less school downtown is one less reason for families to live downtown."

I affix my signature to this.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition that's signed by hundreds of people from my constituency regarding cancer care. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners

who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I of course agree with this and I'd like to thank Gerry Loughheed Jr for all the work they've been doing to gather these signatures.

KARLA HOMOLKA

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): This is a petition to the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

In agreement, I'm happy to sign my name to it.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): I have a very special petition from a special young man by the name of Paul Dosen. He's a visually impaired young man from Bishop E.Q. Jennings school in Thunder Bay. He has sent me the petition in Braille and asked me to make sure the Premier sees it. It's related to his need to travel to Toronto when there's the lack of funding under the northern health travel grant. The petition reads:

"We believe that the people of northern Ontario should have their travel expenses (example: meals, hotel and transportation) paid for when they need to go elsewhere regarding their health care since the people of southern Ontario are getting all of their expenses covered when they come to Thunder Bay for cancer treatments."

It's signed by Paul Dosen of Bishop E.Q. Jennings school, and he's managed to get hundreds of others to do so as well. I'm very proud to sign this on Paul's behalf.

1520

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have further petitions from CAW Local 222 in Oshawa, forwarded to me by Cathy Walker, the director of the national health and safety department. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens;

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances...;

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

Speaker, I and my NDP colleagues continue to support these petitioners.

WASTE MANAGEMENT

Mr Ernie Parsons (Prince Edward-Hastings): I have a petition with close to 3,000 names.

"To the Legislative Assembly of Ontario:

"Whereas the Mohawk people of Tyendinaga are opposed to Canadian Waste Services Inc expansion, Richmond township;

"Whereas the Mohawk people of Tyendinaga are very concerned over US waste coming to our area for disposal;

"We the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Mohawk people of Tyendinaga do not support any expansion plans presented by Canadian Waste Services Inc. We do not want a legacy of pollution to flow through our rivers and creeks for many decades to come as a result of the Canadian Waste Services Inc landfill disposal operations in Richmond township. Please stop the dump expansion in Richmond township."

I am pleased to add my name to this petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have another petition regarding this government's discrimination of northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation; and

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC, Ontario Seeking Equal Cancer Care, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to it. I agree with the petitioners and I'd like to thank Gerry Lougheed for all his efforts to gather these signatures.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): "To the Parliament of Ontario:

"Whereas the Espanola area services a population of 12,000 people and government statistics project a growth

in population over the age of 75 to reach an estimated 336 by the year 2003;

"Whereas the long-term formula for the distribution of long-term-care beds would indicate a need for between 59 and 76 beds by the year 2003;

"Whereas just 30 long-term-care beds exist in the Espanola area with the result that a lengthy waiting list already exists and people are being placed in long-term-care facilities far distant from their home communities;

"We, the undersigned, petition the Ontario Minister of Health and Long-Term Care and the Ontario government to immediately approve a proposal by the Espanola General Hospital, supported by the Algoma, Cochrane, Manitoulin and Sudbury District Health Council for an additional 34 beds in Espanola."

I'm proud to affix my signature to this petition.

FARMFARE PROGRAM

Mr David Christopherson (Hamilton West): I have a petition forwarded to me by Stan Raper, representative of the United Farm Workers. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits;

"Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative;

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7;

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"We, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

I proudly add my name to those of these petitioners.

HUNTING IN WILDERNESS PARKS

Mr Michael Gravelle (Thunder Bay-Superior North): I have a petition signed by hundreds of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Natural Resources has confirmed that the province is considering allowing hunting in Ontario's wilderness parks, including Quetico, Killarney, Wabakimi and Woodland Caribou;

"Whereas the provincial government made no mention of opening up wilderness parks to hunting when it came up with the Ontario Living Legacy policy last year for a vast area of publicly owned land across northern Ontario; and

"Whereas the province's wilderness parks were originally established to be sanctuaries where the forces of nature would be permitted to function freely and where visitors could travel by non-mechanized means and experience solitude, challenge and personal enjoyment of that protected area; and

"Whereas opening wilderness parks to hunters undermines the principles the parks were established to fulfill, threatens animals and exposes the public to risk;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Natural Resources renew and reconfirm its ban on hunting in all of Ontario's wilderness parks."

I'm very pleased to sign my name to this petition.

OPPOSITION DAY

WASTE MANAGEMENT

Mr Dalton McGuinty (Leader of the Opposition): I have an opposition day motion which reads as follows:

Be it resolved that the Ontario Legislature demand that the Minister of the Environment use the statutory powers entrusted to him to prevent the creation or operation of a waste management facility at the Adams mine site in Kirkland Lake until the following conditions are met: a full environmental assessment has determined that there will be no negative impact on the region's groundwater; and the residents of the region confirm through referendum that they are in fact a willing host for the shipment of waste to their community;

Be it further resolved that the Ontario Legislature demand that the Minister of the Environment keep his promise not to extend the operating licence of the Keele Valley landfill site.

The Deputy Speaker (Mr Bert Johnson): Mr McGuinty moves opposition day number 1. The Chair recognizes Mr McGuinty, the leader of the official opposition, representing Ottawa South.

Mr McGuinty: Mr Speaker, I thank you for this opportunity to speak to a very important motion.

Ontario Liberals believe that one of the most important things we can do for our families is to protect our drinking water. At its heart, this motion is all about the protection of our drinking water. As a matter of fundamental principle, the clean water that can be found today in Ontario is not ours to destroy, poison or pollute. The way we see it in our party, the water present today in Ontario is to be held by us in trust for future generations of Ontarians. In a very real sense, it is not ours to do with as we please. We sense a very heavy responsibility to act as trustees of that water. We are nothing more than interim trustees and temporary guardians. I believe that at the end of the day our children and our grandchildren and generations after that are going to be entitled to put to us some very tough questions such as, "What did you do when the government of the day proposed to move

forward with the Adams mine dump site?" That's a very important question that all of us are going to have to be able to answer. That's fundamentally what this motion is all about.

1530

This chamber is, of course, a very partisan place most of the time. That's hardly a surprise. From time to time, to be frank, motions are brought forward to put a government in a tough spot. But this motion—and this is very important—is not a trick. What it is, is a test. It's a test to see whether the government has learned anything at all from the Walkerton water tragedy. It's a test to see whether the government is now prepared to do whatever is necessary to protect Ontarians' water. And it's a test to see whether the government is now prepared to do the right thing on behalf of both today's and tomorrow's Ontarians. Let me explain.

In Walkerton, sadly, six people died, thousands became seriously ill and a town's social and economic life was devastated all because poison got into the drinking water. That community, if you can imagine this, is still without safe and clean drinking water, and this is more than four months later. As an aside, but very tellingly, during those same four months this government has managed to find \$12 million for partisan political advertising, but they were only able to scrape up \$6 million to help the people of Walkerton get the water back on.

A full public inquiry under Justice O'Connor is about to begin its work, and we will not prejudge its findings. But we already know that people died because deadly bacteria got into the water that came out of people's taps. That much we do know. We may not know what part of the system failed but, sadly, we know that the system failed, and failed in a horrific way. People died from contaminated drinking water. That's a fact; it's a tragic fact. Poison got into the water, and more than four months later the government still can't get it out of the water. Those two are the tragic facts.

Given those facts, one would assume that the government would now move heaven and earth in an effort to protect Ontario's water, in an effort to make sure that poison doesn't get into the water in the first place. But instead of moving heaven and earth to protect our water, the Mike Harris government seems hell-bent on moving southern Ontario's garbage up north in a scheme that does not go nearly far enough to protect our water. This government has determined to ship Toronto's garbage to Kirkland Lake so it can be dumped into an open pit that is one kilometre long, half a kilometre wide and 55 storeys deep. Imagine that for a moment—55 storeys deep, to be filled with garbage. It's not so much a pit as it is a lake, because the pit has filled with water. The bottom of the lake is now rock with cracks in it. Those cracks connect what is inside the pit, whether that may be water or toxic dump leachate, with underground channels of water. Those underground channels in turn flow directly into rivers feeding Lake Timiskaming, which in turn flows into the Ottawa River. We are about to create

the largest dump in North America, capable of creating the greatest liquid toxic runoff in North American history. We're going to take that dump and put it on top of a series of channels; we're going to put it on top of a series of pipelines that run into our drinking water supply.

Remember, this is a test, fundamentally, to see whether the government has learned anything at all from the Walkerton tragedy. It's a test to see whether the government will now act to protect our water from being polluted in the first place. This is the upstream issue. It's about doing everything we can to make sure water doesn't become polluted in the first place. The dump owner has proposed that a system of pumps be installed around the garbage. These pumps, untested and unproven, will have to continue to work without fail for at least the next 100 years. How could we possibly take that sort of chance? How could we, now living in the post-Walkerton world, even consider taking that kind of a chance?

I have a tremendous amount of faith in human ingenuity, but to ask me to believe that during the next 100 years, regardless of what Mother Nature happens to throw at us during those 100 years, we humans can keep toxic runoff from entering into our drinking water is asking too much.

This motion calls for a full environmental assessment to ensure that there is no negative impact on the region's groundwater. The government—and the minister did this again today during question period—continues to assert that there has already been a full assessment. I can tell you that is not true. The Adams mine was the first dump site to go through a new process after the Mike Harris government gutted the Environmental Assessment Act of 1996. The assessment that was done up there in connection with this particular dump was incomplete and inconclusive and it was rushed. Previous environmental assessment hearings, in considering whether or not a new dump site is environmentally safe and sound and secure, have taken about 100 days. The hearings in connection with this matter were only two weeks and one day. The assessment that was done was incomplete and the results were inconclusive.

Surely one of the things that the Walkerton tragedy fairly shouts out to us here is that it is irresponsible. It is dangerous to proceed with this dump on the basis of incomplete and inconclusive results. Walkerton tells us that when it comes to protecting our water we must be absolutely sure; there can be no doubt; we can take no risks. Surely that's what Walkerton tells us.

Our motion also calls for the residents of the region to have a say. We want a referendum to determine that they are in fact truly willing hosts. There was a referendum held there in 1991 asking if people wanted to have an environmental assessment. At that time, promises were made to the people that a second referendum would be held after the assessment. Now that the assessment has turned out to be incomplete and inconclusive, people there want a say. In fact, they're demanding a say.

If government members vote against our motion, you are saying that the people living up in that community, in the Kirkland Lake region, should not have a say. You're saying that they shouldn't have a say when their small northern Ontario community is about to become host to the largest dump in North America, with the potential of releasing the greatest amount of toxic leachate in the history of North America. Again, I say to the government members opposite, this is a test to see whether you've learned anything from Walkerton.

You will recall that before the Walkerton tragedy people inside and outside of government warned the government that a drinking water disaster was going to happen. The government didn't listen then and so far they're not listening now.

From time to time I am asked, and members of my party are asked, "What would you do with the garbage?" It's a fair question. I can tell you that, for starters, we would not proceed with the Adams mine dump unless there was irrefutable evidence proving it would not poison our water. Walkerton was not lost on us. It may have been lost on the government, but it was not lost on us.

Here's what else we would do. There are three things in particular. First of all, Ontario Liberals would launch a major province-wide effort to divert more garbage from landfills. Secondly, we would encourage new technologies for eliminating waste. Thirdly, we would examine other short-term options for Toronto, including shipping more of the waste to the US, while we ramp up our diversion programs.

1540

Let's take a look at these, one at a time, and with just a bit of luck the government members may acquire some education on these matters.

Let's look at diverting garbage from landfills. This is a tough thing for cities like Toronto to do now because the Mike Harris government has eliminated a \$30-million municipal recycling program. This government has done nothing to encourage the private sector to do its share to reduce and recycle garbage. You collect \$40 million a year from the 10-cents-a-bottle environmental levy on LCBO products, but you've committed only \$9 million to reducing waste. They're committing less than 25% of the money they collect to reducing waste.

Ontario—and I say this with a great source of pride from years past—used to lead the continent in environmental protection. Now we're falling far behind. Listen to what they're doing in the rest of Canada. BC, Alberta and Saskatchewan have sweeping beverage container deposit regulations. Nova Scotia has banned all organic materials such as grass clippings and food waste from their landfills. Quebec is moving toward 65% waste diversion. Here in Ontario, we are stuck at 32%.

Halifax diverts 60%; Edmonton, 60%. These cities have put in place comprehensive plans, but most importantly, those plans are supported by their provincial governments. Toronto is only diverting 25% of its waste, but is it any wonder? Toronto, like all other Ontario com-

munities, has effectively been abandoned by the Mike Harris government when it comes to responsible management of our waste.

I know for a fact, having spoken to many representatives at the municipal level in Toronto, that this community would love to do better on garbage diversion. But it needs the provincial government's assistance. It needs the provincial government to play a leadership role.

There is a lot of good news out there, particularly when it comes to some of the new technologies that are up and running. There's a company in Guelph that is already taking much of Guelph's garbage but was shut out of Toronto's site selection process—the SUBBOR company. Their technology has been used extensively in Europe, and it uses naturally occurring bacteria to break down garbage into harmless gases. Canada Composting is building a \$26-million methane digestion test facility in Newmarket and a \$10-million test facility in Toronto.

New technologies are being developed, but this innovation has to be encouraged and nurtured by this government. Instead, the government members want to make a 100-year commitment to the continent's biggest garbage dump. I ask government members opposite, is that really the legacy you want to leave to our children, to generations of Ontarians?

We understand it's going to take some time to ramp up new diversion initiatives, and we understand the pressure being felt by local representatives in the city of Toronto. We understand that. But I say to you, a bad solution is no solution. If the provincial government provides leadership, and if the provincial government were to provide its share of financial support, municipalities such as Toronto and the private sector can achieve aggressive diversion goals.

The government members opposite might say, "Well, this costs money. Where are we going to get the money?" In the last three years, this government has spent \$185 million on partisan political advertising. That's a lot of money, and it seems to me that if we were to devote even some of that money to these kinds of initiatives—aggressive diversion programs—province-wide, we would be in a position to be on the cutting edge rather than be lagging behind as we are now.

We oppose expansion of the Keele dump. But it's not slated to close for another two years. That gives us a bit of breathing space. It gives us some time to improve our garbage diversion and look at some other short-term options, including shipping more of Toronto's garbage to the US on a temporary basis.

I want to contrast our approach with the Mike Harris government's approach when it comes to dealing with Ontario's garbage. First of all, I believe we should be doing absolutely everything we can to prevent another Walkerton. That means assigning the highest possible priority to protection of our water. The Mike Harris government is showing no sign of learning the Walkerton lesson. This government has still failed to hire the inspectors and enforcement officers that it fired in the

past, people who have the special responsibility to make sure our water is safe.

Second, I believe the Ontario government should provide strong leadership by supporting waste diversion in our cities and towns. The Mike Harris government has abandoned our communities. He has told them that when it comes to dealing with their garbage, "You're on your own." We think that's wrong.

Third, I believe we should make Ontario a haven for the development of new waste-management technology. The possibilities in that regard are endless. All we need is some indication of genuine leadership on the part of the government and we can unleash human ingenuity. We have not done nearly enough inside this province to divert our waste in the way they have in other jurisdictions. On the other hand, Mike Harris and his government are content to continue throwing garbage into the ground regardless of the risks.

Finally, I believe we should not proceed with the Adams mine dump site because the risk to our water, and by extension the risks to the health of Ontarians, is simply too great. I wouldn't take that risk. Obviously Mike Harris is prepared to take that risk.

So I ask the members opposite—in fact, I implore the members opposite and I challenge the members opposite—to prove me wrong. Show that you and your government have learned from the tragedy in Walkerton. Prove me wrong. Show you will now jealously guard the right of Ontarians, not only the generations alive today but those yet to come, to enjoy safe drinking water. Show you now understand that today's garbage can be tomorrow's poisoned drinking water. Show you can do the right thing, government members. Pass the test and pass this motion.

1550

Hon Dan Newman (Minister of the Environment):

Let me begin by stating that this government stands 100% behind the decision to approve the Adams mine landfill. We have the utmost confidence in the integrity of the environmental assessment process, and we stand behind the numerous technical reviews that have been done on the design of the landfill. We also have confidence in the decisions that have been made by the Environmental Assessment Board with respect to the environmental assessment of this proposal and by the director on the Environmental Protection Act approval.

The decisions of the Environmental Assessment Board were reached after thorough reviews of the issues and information. I'd like to take a few moments, for all the members present, to outline the process that was brought to us and where we are on that today. I want to focus on the various stages the Adams mine landfill proposal has gone through, including those required by the Environmental Assessment Act, as well as the detailed engineering and scientific reviews. I know that the facts will speak for themselves. I will concentrate on the work done leading up to July 1997, when the notice of completion of government review was published.

The facts of the Adams mine landfill chronology point to one conclusion: it's an environmentally sound project. I say this because Ontario's environmental assessment process, as set out in the Environmental Assessment Act, has proven to be an effective protector of our air, our water and our land. The proposal by Notre Development Corp has met our Environmental Assessment Act and Environmental Protection Act requirements. The rigorous process and requirements of these acts has ensured that the proposal is environmentally sound.

Let me turn to the chronology. The proponent, Notre Development Corp, submitted its original environmental assessment for the Adams mine landfill to the Minister of the Environment on December 20, 1996. This plan called for the operation of three pits at the Adams mine as landfills. Notre proposed to develop the largest pit first, that being the south pit. This pit is capable of handling 20 million tonnes of waste over 20 years. Notre originally sought environmental assessment approval for all three pits, as well as an approval for the south pit under the Environmental Protection Act. The company planned to seek Environmental Assessment Act approval for the central and Peria pits as the need arose.

However, erring on the side of caution, the Ministry of the Environment said no to Notre's original plans for the additional pits. The experts within my ministry wanted to reserve the right to subject them to another environmental assessment process if and when the proponent chose to expand the landfill. This, I say, was the prudent approach and one which this government approves and supports.

Notre subsequently focused its plans on the south pit and provided the Ministry of the Environment with all the detailed technical information and analysis necessary to make an informed decision on the proposal.

During the environmental assessment process, eight independent peer reviews of the studies done by Notre were completed for geology, hydrogeology and hydrology. This included examining the potential for groundwater and surface water contamination from landfill activities, predicting leachate movement and also the design and operation of the landfill. These reviews were in addition to the work of the proponent's engineers and scientists and the ministry's experts.

As part of the Ministry of the Environment's Environmental Assessment Act review process, a team of government ministries and agencies, including the Ontario ministries of the environment and of natural resources, Environment Canada and the federal Department of Fisheries, analyzed the Adams mine landfill proposal. The Quebec government was also provided with information and asked for their input to the project.

There has been some concern of late that these bodies and agencies were not consulted. Mr Speaker, I want to assure you and all members of this House that they were. The consultation processes laid out in the Environmental Assessment Act and the Environmental Protection Act are exhaustive and all-encompassing, and frankly they should be and they ought to be. It is, after all, the

protection of environment that is the ultimate goal of this process, and it's a goal that I know all members in this House share, regardless of which side of the chamber they sit on. I know one of my colleagues will speak to the extensive consultation process a little later this afternoon as the debate continues.

Another issue we've all heard about recently, indeed in this very chamber from the leader of the third party, is that the Adams mine site is in an earthquake zone. Mr Speaker, I want to inform you and all members here that this House currently sits in an earthquake zone. Another one of my colleagues will speak about this issue specifically a little later so we can gain a little more insight into the issue of earthquakes.

In July 1997, the notice of completion of government review was published. The review confirmed that the technical experts were satisfied with the information provided and that any remaining issues could be addressed through terms and conditions of the approval or through the Environmental Protection Act certificate-of-approval process.

A 30-day public comment period followed the notice of completion. The Minister of the Environment received 82 submissions, 53 of which were requests for a public hearing before the Environmental Assessment Board. A number of submissions were made in support of the proposal. We listened to the public and an Environmental Assessment Board hearing was called. Six months of public consultation ensued, resulting in 26 conditions being applied to the final environmental assessment.

I could go on and on, but I think I'll share my time with my colleagues a little later this afternoon so we can continue with the chronology of the rigorous environmental scrutiny to which this project was subjected.

Please allow me to reiterate what I said right off the top, that this government stands 100% behind the decision to approve the Adams mine landfill.

To finish, I'd like to quote from Hansard on April 23, 1992, when a member of this Legislative Assembly said, "An environmental assessment affords an opportunity for an issue to be heard in an impartial, objective manner by a group of experts who consider these matters intelligently, expertly and in a forum devoid of emotion."

That member went on during the debate:

"The environmental assessment process, and more specifically the panel, has that wonderful luxury we don't have in this House of considering issues in a forum that is not buffeted by the winds of political expediency. It's not hamstrung by political ideology.

"It's where political correctness is not a factor, where political agendas are not a factor. Briefly, simply, it just makes decisions objectively."

It just makes decisions objectively.

I know you're all wondering who that member of the Legislative Assembly was who participated in the debate in 1992. It's none other than the Leader of the Opposition, the member for Ottawa South, Dalton McGuinty, the very person who moved the motion before us today that we are debating at this moment. I think the sentiment

he expressed in 1992, eight years ago, is very apt in describing the situation we have before us today. I hope he still believes in what he said in 1992.

In fact, there are other members of the official opposition who have made comments, and I think it's important to note that David Ramsay, the member for Timiskaming-Cochrane, on March 25, 1994, to be exact, issued a press release. This is what he said: "It's interesting to note that the Americans can see the economic advantages of disposing of waste, but our government"—that being the NDP government of the day—"is blind to that very fact. It would be a shame to see jobs created by waste management go to the United States. The government should allow Metro Toronto to proceed with an environmental assessment of the Adams mine proposal." So said Mr Ramsay.

That was 1994, and they seem to have opposing views—

Mr Bart Maves (Niagara Falls): Just call it "flip-flop."

Hon Mr Newman: —or flip-flop views, as the member for Niagara South says.

The Environmental Assessment Act is indeed an important safeguard for Ontario's air, for Ontario's water and for Ontario's land, and we strongly believe in the integrity of that process. And just as strongly, we believe that the Adams mine landfill is a solid, positive proposal, precisely because it has proven worthy, under approval, under the Environmental Assessment Act.

Mr James J. Bradley (St Catharines): Thank you very much for the opportunity to contribute to the debate this afternoon, a resolution I hope members of this House would support. I have a great concern, as I think many people have, and perhaps even more the people who are in the watershed of the Adams mine, people along the Ottawa River, people who are south of the Adams mine location and generally people who are concerned about hydrogeology in this province.

1600

I could get up and read a lot of what people had to say in the past. I have something from the Premier. The North Bay Nugget of March 5, 1990, reported Harris as saying he opposes shipping Toronto's garbage to the north even if communities there are willing hosts. "That's not an acceptable approach," Harris said back then. "I would adopt the attitude that you must look after your own garbage." I'm sure we can go through what the Premier said here, what somebody else said there. It doesn't solve our problem of the Adams mine today and the concerns I have.

My concerns with the Adams mine are less political than they are environmental. You see, politically speaking, the government must be thinking, "It's only one riding. It's held by an opposition member. It's way up north. We're unlikely ever to win that riding in the near future," so therefore it's politically an expedient place to put Toronto's garbage and indeed garbage from the GTA. Politically, it's an attractive proposal to members of that government. I think you have to look at what the implica-

tions are for—I see one of the members from Ottawa here today. He knows that some people as far south as Ottawa have expressed concern about this. Are their concerns valid? I think that's why we need a further review, to see whether they are or not. I don't personally know that. I suspect they are, but I don't personally know that to be the case. I am one who believes in the objectivity of the environmental assessment process. I certainly do, as I think many others do.

I think this particular hearing, this particular process, was truncated, was limited too much. It wasn't just a matter of making it a site-specific environmental assessment, which I understand has happened before—I can tell you that—being site-specific; it's the fact that the rules got changed in 1997. I was going back through the old legislation from 1997. It was Bill 76, changes to the Environmental Assessment Act. It ties the hands of the Environmental Assessment Board to adequately review major environmental projects. There's no requirement that major new landfill sites be referred to the board for a full environmental review. Then there was Bill 57, changes to the Environmental Protection Act that, again, I think weakened the process.

What I was concerned about was that the new fund boss for the Trillium Foundation, a man who is well-known to this government, obviously a friend of the government—he has received many appointments—Mr Power, had a significant role in rewriting the rules for the environmental assessment process, and then he has a connection to the Adams mine. So members of the House can see how people outside are going to draw a conclusion: were the rules changed so that the Adams mine would pass the process? That's my main concern. I can look at a lot of other issues and who said what to whom and who owned what and all these other issues. They're important, and others will probably make that case. My concern is that this is something fairly new. I'm not saying it's unprecedented, but it's fairly new. After the tragedy of Walkerton and many of the other problems we've seen across the province from ground and surface water, I really wonder whether it's wise to proceed with the somewhat limited assessment that we've had of the Adams mine at this time.

That's why I think this resolution is good. I think the resolution, that wants to see another full assessment of this, is important. I don't want to see a tragedy that will cost millions upon millions of dollars to fix down the line. I hope, regardless of what decision is made by this Parliament or by municipal officials, that nothing ever would happen. I'm not one who sits and hopes for disasters out there so that one can say that a government is in contempt, or something of that nature. I'd rather not see it happen. It's all about risk, just as when the Ministry of the Environment was reduced by about one third of its staff and about 45% of its budget. What that did was increase the risk to our environment. It doesn't mean that with the most staff you could possibly have or the most money you could possibly have that nothing would happen. No, you can't tell that in the future. So it's all

about risk; that's what's important. I just think there is too much risk with the Adams mine.

I'm concerned as I look at some of the discussions about the hydrogeological reports, the fractured rock we have in there. I don't think the drainage system was looked at adequately; it could have been, and still can be. I'm worried that the people up there are not satisfied with this, that there's not a willing host up there, because people are less willing to be a host if they think there are some environmental questions that are left unanswered. I think that's the status of many people now. There are some who believe southern Ontario's garbage should not go north, and I respect that point of view, but there are others who believe that if it were environmentally benign it might be acceptable. My concern is that it doesn't appear to me to be proven that this is going to be an environmentally benign proposal that is being brought forward.

I happen to believe very strongly in the 3Rs, that is, you reduce the amount of garbage that you produce in the first place, you reuse as many products as you can and you recycle.

We in Ontario—and I'll say North America, although there are some exceptions—have certainly not been as good as the Europeans in terms of the 3Rs. Part of that's geography. Part of that is because we've had other options which are less environmentally desirable, but there are other options nevertheless. The Europeans haven't had those options, and for this reason they have reduced tremendously the amount of garbage they produce. I think we can do that.

I look in Toronto and say that apartment buildings have a minuscule recycling program. I know it's not easy, nothing's easy, but I remember when I was the Minister of the Environment and I had the decision to ban those old dirty garbage incinerators they used to have available. Everybody said the world would end if you banned them, you couldn't tamper with the apartments. I think we need a major initiative to deal with all kinds of housing complexes and commercial complexes to reduce that amount of garbage. It takes a lot of pressure from government. I'll support this government if it is going to impose those rules on municipalities. You won't find me harping from the sidelines at you and taking the other side. I'll be there to support this government if it's prepared to do that. I think that's the route we must take.

I commend Guelph as an example. That goes way back. Guelph has been a leader for a long time in dealing with garbage. They've had people there who are really committed to it. I would congratulate them. There were three parties in power, and regardless of which party was in power, Guelph was a leader. They helped out a lot of other people around North America.

I hope members of the Legislature will agree with this. As I say, I'm not going to go back and chastise the Premier and say whose friend is whose friend. That's an approach that could be taken. I don't want to take that approach.

There are new technologies out there. There's the separation of wet and dry material. There's composting

that takes place now. All of these things have to be implemented before we start thinking about where garbage is ultimately going to go. When it does, we hope it's in the most environmentally benign area possible.

I wish anyone who has the position of Minister of the Environment well in trying to deal with that. I simply caution the Minister of the Environment today that in my opinion, from the evidence I've seen, I'm not convinced yet that the Adams mine is environmentally benign, and I would hate to see this on his hands 10 years from now. I realize it's a cabinet decision and not a minister's decision alone, because the cabinet has influence, but I think it's worth taking that extra time to see if, first of all, you can ratchet down the amount of garbage produced, and second, if you can be absolutely certain that this site is acceptable environmentally. It's that nagging worry I have when I see some of the evidence that we're going to find out 10, 15 or 20 years from now that it wasn't as environmentally benign as everybody thought it was, and then we would be in big trouble. A lot of remedial work and perhaps even some tragic events might take place as a result.

I ask members of the government and members of the third party to support this particular resolution. I ask the government to go through a process which is more extensive in this regard. I ask them to consult the people in the area in a meaningful referendum in this particular case. The minister is in the House. As I said a moment ago, I will be the first one to support this Minister of the Environment if he gets tough on people who are producing garbage and really ratchets down the amount of garbage that's produced and forces people to reuse and to recycle. He won't get any sniping from me if he does that here in Ontario because I think it will be beneficial for the province if that happens. Even if it makes some people angry, even if it concerns some people, even if some in the business community don't like it, I'll be there to support any government or any person who will take that particular position, because ultimately that is the best solution for the kind of situation we find ourselves in today.

1610

Ms Shelley Martel (Nickel Belt): At the outset I want to say that clearly New Democrats will be supporting this resolution. My colleague the member for Toronto-Danforth will speak at greater length than I with respect to some of the specifics of this proposal and some of the alternatives that the government should look at. She will do that from a position of having much more authority with respect to the matter than I will, given that she has been the environment critic for us for a long time now. But there are a couple of comments that I would like to make for the record.

I suppose I start from the perspective of a northerner who is not interested, frankly, in northern Ontario, my special part of the world, becoming a dumping ground for someone else's garbage. We made that very clear when we were in government. We passed a law to make it clear that Toronto or other communities couldn't adopt

an out-of-sight, out-of-mind attitude with respect to garbage by being allowed to send it somewhere else and let some other community have to deal with it. It was one of the reasons why we supported what had been put in place by a former Minister of the Environment, who just finished speaking, some of the proposals and timeframes for recycling that would have been so important to make sure that diversion could have occurred, to make sure that recycling could have occurred, to make sure that we wouldn't end up in the position that we are facing today, which is a huge garbage problem here in Toronto and a really serious problem on behalf of council of where to put it.

Most of the dilemma goes squarely back to the Mike Harris government, because it was this government which, as one of its first actions, cancelled money to make recycling in this province a reality: cancelled the curb program, cancelled funding for the blue box program and made it incredibly difficult for municipalities to move forward to meet the provincial targets and guidelines that had been set. The government has a lot to answer for in terms of making that decision. It certainly was extremely short-sighted. It certainly did nothing to encourage, financially, municipalities from getting on with their blue box programs. It did nothing to encourage municipalities to expand blue box programs, to expand composting, to look at waste diversion in a serious manner, to ensure that we wouldn't find ourselves in the position that we are in today: with a whole lot of garbage and nowhere for it to go.

We start the debate against a backdrop of uncertainty. We know that Toronto council has to deal with this issue. We know, because it was announced in this House, that talks that were ongoing to try and finalize the details around a contract did break down on Thursday, those discussions between the city of Toronto and officials from Rail Cycle North, and that a briefing which had been scheduled for councillors after that meeting was cancelled as well. There may be some kind of deal at this time. Certainly there wasn't yesterday. We know that members form city council who have to vote on this important issue still, as of yesterday, had not seen the terms of any contract that they are going to be asked to approve on Tuesday.

We have a very significant decision facing Toronto councillors, and those Toronto councillors haven't even had the benefit of seeing the terms and conditions of a contract that will have enormous implications for residents of this city and for residents in northern Ontario, and they have to do that by Tuesday. The Tuesday vote adds to the uncertainty with respect to this important issue because we know that Tuesday, October 3, will be the last Toronto council meeting before the November 13 municipal elections, and council has now come up against an incredible deadline that kicks off this Tuesday night. We know there has been an initial vote but we know that the real vote, the final vote, the concluding vote comes Tuesday night and, as of yesterday, still no terms and conditions of a contract that people can see and make an intelligent decision on.

We know as well that yesterday there was a significant protest in northern Ontario, near Kirkland Lake, by people who are vehemently opposed to this proposal and, frankly, the numbers are growing. We know, for example, that the mayor of Kirkland Lake, Richard Denton, the majority of people who live in the community, the adjacent First Nation and a number of groups from Quebec whose watershed will also be affected have all come together and are opposing this deal. In the last number of weeks they have done that in the most strident and vociferous way they can to try and make decision-makers at the provincial level, the federal level and the municipal level understand that they don't want their community to be a dumping ground for garbage and they don't want the groundwater in their community to be polluted by this proposal that uses an untested technology. They don't want their groundwater to be polluted in a way that will poison their drinking water for years to come.

We also know that it occurs in a backdrop, I think, of other actions that took place today, if I understand my colleague from Timmins-James Bay correctly, whom I just spoke to on the phone. The highway was blocked. People are demonstrating yet again today in different parts of northern Ontario to try and make it clear to the decision-makers who count that they really don't want this scheme in their backyard.

I think this landfill proposal is all wrong. I don't think it should be built. It shouldn't be built now and not tomorrow; it shouldn't be built, ever. I say that for a couple of reasons. It was clear at the EA that the technology that was being proposed was technology that was untried, that was new. We should be concerned about consequences of new, untried technology, especially when the drinking water of thousands of people is what is at stake, and it is in this case what is at stake. Make no mistake about it.

We know, for example, that millions of litres of pure groundwater will be continually flowing into the pit that could then be contaminated by a plan that requires that water to wash Toronto's garbage in perpetuity. We know, for example, that the pit leaks. We know that even the experts who came to testify at the environmental assessment hearing admitted that the proposal for this dump is in an area that is in an earthquake-prone zone.

My leader, last week in questions to the minister, tried to raise with him again the significance of that issue. Think about it. This is as of September 27. Six days ago, there was an earthquake that measured 3 on the Richter scale only 36 miles away from this mine site. Twenty-seven days ago, from September 27, there was another earthquake that was 30 miles away. The proposal to dump this garbage is in an area that is an active earthquake zone. On January 1 of this year there was another earthquake in this area. This one measured 5.3 on the Richter scale. When you have that kind of activity in about a nine-month period, you increase the potential for the cracks and fissures in that area to expand and you increase the potential for leakage, if and when Toronto's garbage ever got dumped there.

The minister tried to say that was taken into account at the time of the EA process. We know the experts who came to testify did have to testify and say, "Yes, it's true," it was in an earthquake zone. That has been reinforced in the last nine months, when we've had three major quakes in that area. Why would you move forward with a proposal in an area that so clearly poses risk to the health and safety of residents and to the quality of their drinking water? Why would you do that? Why would any government think it was a good idea to dump garbage, which could then leach in an area that's in an earthquake zone? It doesn't make any sense. I wonder why the government wouldn't want to take into account that merely nine months ago an earthquake measuring 5.3 on the Richter scale hit this area, the very area where this government thinks it's OK to dump garbage.

1620

The plan itself runs completely counter to the government's own 3R proposals. Rather than trying to encourage Toronto to reduce the amount of waste it produces, the plan itself actually ties the city to maintaining that level of garbage so it can be shipped over the next 20 years. What are we doing, trying to encourage a proposal that will in fact lead not at all to the city of Toronto trying to actually divert out of the waste stream or enhance its recycling efforts in order to reduce the amount of garbage going into landfill? The contract depends on a minimum high level of waste continuing to go into northern Ontario. It runs completely counter to what the government professes is its own 3Rs policy.

Earlier in the spring we had the Ministry of the Environment, the deputy and other officials before the public accounts committee. We were reviewing some of the comments that the auditor had made with respect to recycling. One thing that was interesting with respect to recycling was that the time frames that had been set out by a previous government—in this case the Liberal government, between 1987 and 1990—in order to recycle 50% have been effectively abandoned by this government. They don't even appear any more in the government's own business plan as an objective, as a target that this government would want to reach.

So we have not only the city of Toronto's proposal, which will effectively mean little effort on their part to recycle, but it also means that the government itself, in accepting the proposal, has abandoned any pretense it might have had that it cares about the environment, that it cares about recycling and that it wants communities to do more in that regard.

Fourthly, the deal really does violate the traditional territory of the Timiskaming First Nation, and that's probably an area where the federal government, if it really wanted to get in on this action, could actually do so. It is clear that there is a constitutional issue with respect to what goes on on the traditional land of this First Nation, and that has not been taken into account in any way, shape or form with respect to the proposal. The federal government has hemmed and hawed and murmured and spoken a little bit about the fact that it

might intervene. I suspect it has something to do with the fact that we probably have a federal election on our doorstep. If the federal government really wanted to look at a federal environmental assessment and order one to be done, they could use the fact that this plan violates traditional territories of a First Nation to do that, because of course they have fiduciary responsibility when it comes to First Nations in this country.

As I said earlier, the plan is opposed by Kirkland Lake, by the majority of residents, by the First Nations, and now we see on the Quebec side as well other groups who are coming forward because they're worried about the quality of their drinking water and the impact this proposal will have on Lake Timiskaming.

We have suggested very strongly that the government needs to be in the recycling game again, and if they were, then Toronto might not be in the position it is. We look to other major cities, other jurisdictions—Edmonton and Halifax, for example—who clearly are moving forward on recycling efforts, who clearly are diverting 60% to 65% of stuff out of the landfill so they don't have a huge problem with respect to where cities dump garbage. We are concerned that the Waste Diversion Organization, which this government maintains, has recently said that if Ontario is to meet its goal of diverting 50% of waste away from landfill, which is the target that was set by a previous government, which this government says it's committed to, then it will have to ban organics from landfill in Ontario and it will have to do that as soon as possible.

We are concerned because we don't see much enthusiasm, much initiative or much desire on the part of the government to do so, even though its own waste diversion organization has issued a clear warning that that is what must be done immediately if we're going to be able to meet the goal the province has maintained for over 10 years now of diverting 50% of waste away from landfill. We think the government, as a first step to dealing with this serious problem, must do that immediately: announce that organics will be banned from landfills in Ontario.

We have tried to say to the government very clearly that there are a number of concerns that have been raised by the local residents about why they don't want their community to become a dumping ground for garbage. We have raised with the government the spectre of the concern from the First Nation and that there is a constitutional issue here that the federal government must deal with. We've raised the concern with respect to the flawed EA process, where the government changed the rules of the EA process and, frankly, probably made it much easier for the proponent to get this through even though the decision was not unanimous. We have said to the government that if they really are concerned about the quality of drinking water in this province they will not proceed with such a flawed proposal.

It is not too late for this government to act to protect the quality of drinking water of people in northern

Ontario, specifically northeastern Ontario. I hope the government will have the courage to do so.

Mr Brian Coburn (Ottawa-Orléans): As a resident of Ontario, I'd like to think that all provincial governments over the years would have had my best interests at heart in terms of protecting the environment, and certainly no less our government.

I think, when you go through this issue, that the Ministry of the Environment has gone to great lengths to ensure that all aspects have been explored. In fact, the ministry has gone to great lengths to ensure that a full environmental assessment was completed in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system to ensure that the ground-water contamination would be prevented. Those hearings lasted some six months, and the board attached 26 conditions to that plan. In addition, a certificate of approval was issued after further technical analysis of the project, and that certificate carried 66 conditions. In addition, eight independent peer reviews carefully analyzed the details of the plan and submitted their reviews to the Environmental Assessment Board. Once the environmental assessment was approved by a judicial review, the Adams mine landfill project was concluded and that decision to approve the EA was upheld.

When I was at the municipal level in municipal politics, as some members of this House would be familiar with, the environmental assessment process was brought into being sometime, I believe, in the late 1980s. It was brought in with the intention of being inclusive, not exclusive, being inclusive in that everybody had an opportunity to participate and raise their concerns. The obligation was then to pursue those concerns and find whether they were well-founded or ill-founded.

Over the years, the environmental assessment process has continued in its pursuit of perfection in terms of creating solutions to some of the challenges that we have. Make no mistake, the challenges aren't going away. The 50,000 condoms in Australia aren't really going to make a big difference on our population growth in the long run. But that's the challenge to people in this assembly and to others, with the explosion in our population. You look at the city of Toronto, that's going to increase by another half million over the next few short years; the city of Ottawa.

1630

In fact, part of this discussion reminds me of the environmental process that we went through in Ottawa when I was on Cumberland council. This was when the Liberal government was steering the province.

When you get into an environmental assessment process, one of the things that's fundamental is that you have some expectations, as the proponent or as the municipality or as a resident, that there's a beginning and an end and that there's a process that must be followed. If that varies at the end of it because you just don't like the conclusion, that removes some of the confidence the

electorate has in all of us in our ability to govern. We're elected to be here to make decisions for the betterment of residents in this province, and hopefully the electorate believes that there is an intelligent, logical, reasonable process to arrive at those decisions.

I would like to think, after experiencing a couple of environmental assessments over my 18 years, that it is a very comprehensive and thorough process, whether it's for a road or whether it's for a landfill site. I've experienced both. In that particular case in Ottawa, when we were looking at incineration, it was the member for St Catharines who was the minister at that time. His comment today was, "Get rid of those filthy incinerators."

At that time there was a good argument that incinerators in Europe had improved the technology, and there would be an argument that it's better to deal with something you can see in the air than something you put in the ground. Those were some of those arguments then, and that was over 10 years ago.

In this particular case there has been a full environmental assessment. I don't think it's proper, at this stage of the game, to have politicians come along and contaminate the issue. There have been experts in their field, and from my experience a lot of these experts do take pride in their ability to analyze situations, do take pride in improvements to the process, improvements and solutions that have been garnered by their colleagues around the world. This situation is no different.

In this particular case, the Adams mine, as the Leader of the Opposition has said, is some 55 storeys deep. It's a pretty big hole. Open-pit mining, that had gone on for years, has left this resource, and there's water in the hole because water runs in. Contrary to some engineers—and I had that experience too; some engineers try to get water to run uphill, and sometimes they spend a lot of money, if we believe them, in trying to pursue that.

But in this particular case, the hydraulic containment is the key to the operational capability of the Adams mine. Whenever you dig a hole, of course we get down below the water table and water runs into it, and of course there are fractures in the rock. That's what creates some of the water veins and that's how some of the infiltration gets into the pit.

They talk about that extensively in some of the reports I've seen in terms of the hydraulic containment. This capability has been implemented in other areas, so it's not like, "Wow, this is going to be something new." The technology has been used in Saskatchewan, and the same hydraulic containment is demonstrated even right next door to us here in Halton and Grimsby at the Green Lane landfill, maybe on a smaller scale.

I don't think any of us here or anywhere in this province and in this country are minimizing the impact of the three Rs. That's an important component of how we're going to handle our garbage. But there is that remainder that we have to deal with. We don't have the luxury of being able to put off decisions forever and ever. Decisions have to be made, and they have to be made on the best possible information.

I think one of the striking characteristics of our government is being able to make those difficult decisions. And they are difficult, because it is emotional; it's one of those subjects that is emotional. It's in your backyard. You never thought it would be here, "Wow, it's in my backyard so, gee, my thinking's all changed now. I really don't want it to happen here." But then you look at some of the significant scientific data that were gathered by an army of experts who have analyzed and reviewed the Adams site. These experts have based this on the very simple law of gravity.

Hydraulic containment means the inward flow of groundwater towards the landfill. When you have that hydraulic pressure inward, nothing goes out. That's why it's critical in the establishment of the Adams landfill that there is the containment of leachate and the pumping of leachate where it can be treated. If you look at some of the other landfill sites, that is one of the difficulties in how you control the leachate. For those who don't have the luxury of an open-pit mine, where they're combating the infiltration of water right at the water table level, some of the solutions in some areas of this province have just been to acquire more land and they just keep moving the boundaries. In this particular situation, it can be contained and the leachate can be dealt with in a proper environmental fashion.

Engineering and hydrogeological experts have repeatedly stated that there is no potential for contaminants within the waste to enter the surrounding groundwater as long as the hydraulic containment is maintained. That, like I had said, is one of the key centrepieces of this. On top of that, by containing the leachate you get to control it in an environmentally sensitive way.

This information was presented to the Environmental Assessment Board during the public hearings on the project. The Environmental Assessment Board is an independent board that was tasked with the responsibility of reviewing the hydraulic containment plans for the Adams mine landfill project. They had the task of reviewing the testimony of the experts. They also sought the advice of eight independent peer review committees. They all came to the same conclusion: that the proposal will work.

As an added measure of protection, the certificate of approval that was issued to the company under the Environmental Protection Act contains requirements for groundwater monitoring around the site. It would trigger levels for implementation and remedial measures and contingency plans to ensure groundwater protection. Those are some of the things that we have learned in the past, when some of the plans have gone awry in years gone by: that there is a mechanism in the event that something happens, that it does trigger a contingency plan. That has been accounted for and demanded as part of the environmental requirements.

The facts, I think, speak for themselves. We're talking about decisions, not opinions—not opinions of a politician, but we're talking about decisions that are based on scientific fact that are conclusive. The EA process in this particular case had a beginning, it had an end and it was

inclusive. It did invite comments, data, professional opinions and comments from the citizenry. These concerns were taken into account and evaluated and a decision rendered. Our government, and I would like to believe everyone, as I said at the outset of my remarks, does take very seriously its responsibility to protect human health, to protect the environment, to protect the very things that are important to our survival on this planet. It is our health, it is our environment and, indeed, our children's future that we are dealing with, and that's not a decision that's taken lightly by anybody in this place, I believe, or outside.

But we also recognize that we have to base our decisions on evidence. I believe the evidence here speaks for itself. It's on solid science. We do stand behind the decision to support this application and this project.

The public does expect strong leadership. They expect leadership to deal with issues. They expect them to gather all the facts and make logical, responsible decisions to move forward. In this particular case, this is something that our ministry and our government have provided.

1640

The Acting Speaker (Mr Michael A. Brown): Further debate?

Mr Gerard Kennedy (Parkdale-High Park): It is a pleasure to rise today in support of this motion because this motion is exhorting members here to do their responsibility and giving them their only opportunity to do the thing they are brought here to do in the first place, and that is to see that people's well-being is protected.

We've had the member opposite from Ottawa-Orléans tell us that this is based on scientific evidence. What the member from Ottawa-Orléans and the government itself will not acknowledge is that they have limited the inflow of scientific evidence in the same way they are in no position today to say they'll staunch the outflow of leachate or poisonous substances into literally the bedrock of this province. This government held a very short environmental assessment that only looked at the theoretical application of hydraulic containment. It did not look at—if you look at the minutes of estimates—what the person in charge of environmental assessment says should be an environmental assessment, a full review, including looking at the alternatives that could be done.

We have some bad options when it comes to garbage in the Toronto area. We have landfill, we have incineration, but rather than looking at things that were known and risks that were known, we have this government cajoled by a large American company into taking on something that does not exist anywhere else. A uranium containment done far more expensively than what is happening or is being proposed here is something that it can't be compared to. We have no garbage dump being run the way this government wants to ship garbage 700 kilometres and have occur at the Adams mine.

I say to the people of Toronto, to the people of Ontario, this is a government on the precipice of

poisoning the natural environment with an extremely risky experiment, and no assurances can be given in this House, no documents can be tabled that will actually demonstrate that. If this government was so certain, they would support this motion, because this motion does not threaten their design to have an answer; this motion only threatens a government with something to hide. If you accept a full environmental assessment, let's say on the federal standards—what the provincial standards used to be before this government passed a law to allow companies themselves to set their own environmental assessments—we would see a completely different answer or, if we did not, we would know some very troubling questions.

I want to raise the name Dr Larry Jensen, who was a provincial geologist for that area for 30 years. He says the mine will leak. I've been to the mine. I was there yesterday. It's a lake now. It's a lake about 150 or 200 feet full of water. The water does leak in and the water does leak out because there's another 150 feet that isn't full. This mine leaks in a way that no independent authority is going to be able to tell us can be staunched by manmade equipment.

We're looking at, I think, the beginning of a Lake Harris or a Harris canal in terms of what it affects. If some of the members here are just shrugging and saying, "Thank goodness it's not in my area; thank goodness it's not in a heavily populated area; thank goodness it's in an opposition riding," then I say to them, this is a much bigger issue than you're contending with. This is not about political imperative; this is about a responsibility that Walkerton should have told every member in this House is inalienable.

I want to say to the some thousand people who were there, there are people in this House and outside of this House, and more people, I say to the members opposite, as they learn of the facts of this matter, who will be addressing it in the way that we are, which is with prudent caution, not this reckless haste that cannot be explained and cannot be in the interests of the people of Ontario.

Mrs Tina R. Molinari (Thornhill): It's a pleasure to rise today on the motion being debated and on the issue of public consultation on the Adams mine landfill project.

Our work in the House is predicated on the importance of informed discussion and debate. The necessity for the open exchange of information and ideas is recognized as being important no matter what the situation. This is especially true in the field of environmental protection. This is the case because the issues to be dealt with are very complex. To deal with them we need not only expertise but also wisdom, much like the wisdom that this government has shown in supporting the closure of the Keele Valley landfill site by 2002. This government has been consistent on this point, unlike the opposition where one day they want to extend it and another day they want to close it.

One of the key reasons that this government stands behind its approval of the project's full environmental process is the high level of public involvement sought and received every step of the way. The motion today calls for a full environmental assessment to be conducted. To that I say, and the minister has consistently said, it has already been done.

Before I talk more specifically about this involvement, how it's taken place and how it will continue to take place, let me first hearken back to the Environmental Assessment and Consultation Improvement Act, 1996, which was proclaimed January 1, 1997. Our reforms to the Environmental Assessment Act were significant, resulting in a strengthened environmental assessment process. Among the first that we introduced for Ontario was the legal requirement to consult with the public to ensure that environmental issues are identified and resolved early on in the development of the project.

The Adams mine landfill project has been the subject of extensive consultation over the past several years, including the public hearings lasting six months during 1997. These hearings resulted in 26 conditions being attached to the environmental assessment. The consequence was a stronger plan to protect the environment.

The Environmental Assessment Board's public hearings heard all sides of this technical issue, including evidence from seismologists, hydrogeologists, leachate management, environmental groups and members of the public. We have heard from people from all walks of life and on both sides of the issue. We have listened. We have taken their thoughts into consideration where appropriate and we've acted on them.

This government ensured that extensive public consultation occurred and that a thorough and full environmental assessment was conducted. We listened to our colleagues across the floor and the inconsistencies that are being reported. One in particular is that Mr Ramsay, the member for Timiskaming-Cochrane, said in 1994, "It would be a shame to see jobs created by waste management go to the United States. The government should allow Metro Toronto to proceed with an environmental assessment of the Adams mine proposal." Mr McGuinty in 1992 said the Adams mine project would "have dramatic positive economic impacts in terms of employment, infrastructure and promoting a creative approach to dealing with our garbage."

We have taken the time necessary to determine whether or not the Adams mine project is in fact environmentally sound. A full environmental assessment, including public hearings, has been conducted. I am surprised that after learning that the project is environmentally sound, the members opposite would change their tune.

This government's work is not yet complete. We continue our work to ensure that the public has ongoing input into the process and that the environment is protected. We recently released a draft permit to take water to both the proponent, Notre Development Corp, and to the Adams Mine Community Liaison Committee.

This relates to Notre's application for a permit to remove water from the Adams mine pit. In fact, the establishment of a community liaison committee was a specific condition of approval for the Adams mine landfill under the Environmental Assessment Act.

The Environmental Assessment Board's decision following the public hearings specifically spelled out the membership, role and responsibility of the committee to act as a liaison with residents, groups and communities in the area. The committee's membership consists of people who are opposed and people who are for the proposal. This balanced input ensures that all voices are heard and that the environment receives the best protection.

1650

We will be taking the same consultative approach when we draft certificates of approval for the applications required for other aspects of the Adams mine. These include applications for discharge of the pit water and an application for approval of the leachate treatment system for the long-term operation of the site.

Our efforts to include the public have been complemented by area councillors and other members of the public. A municipal question was posed to the people of Kirkland Lake by the town in 1991. This official question received 69% support from the electorate to proceed with an environmental assessment, and the support for the project continues today.

Councillor Bill Enouy in the town of Kirkland Lake said in June of this year, "This project has made our own communities stronger and more committed to work together. Opponents and the press keep using the reference to the Kirkland Lake community when they talk about opposition to the Adams mine. This is totally wrong, and today I want to clear up that error." Mr Enouy noted that over the past two years only one individual has appeared before their council to object. Mayor Bettyanne Thib-Jelly also notes the town of Englehart's continued support for the project. The motion in front of us also calls for a referendum. There have been three referendums called and municipal elections, and the councillors who have been vocal in support of the Adams mine project continue to be re-elected. In June of this year, Reeve Jo-Ann Thompson of the township of Larder Lake also affirmed her council's support of this project; this, after all three councillors were deeply involved in the environmental assessment process and the Environmental Assessment Board hearings.

I want to conclude by reinforcing my point that this government has consistently acted to ensure that the Adams mine landfill project protects the environment through broad public participation and detailed analysis by the technical experts. The Adams mine landfill undertaking shows that the process is working. The input we've gained through consultation has played an important role in improving the quality of the Adams mine landfill proposal.

The Acting Speaker: Further debate? The member for Toronto-Danforth.

Ms Marilyn Churley (Toronto-Danforth): Thank you, Mr Speaker. Did you say Toronto-Danforth? It was Mr Dennis Mills who changed the name of my riding unilaterally, without any discussion with me—I want that on the record—or the community, and we're now Toronto-Danforth. There are many citizens who believe that we should have been called Riverdale-East York or East York-Riverdale. However, Dennis did say that maybe after the next federal election we might be able to look into it again. But people are still getting used to this new name, because it used to be Riverdale and then went from Riverdale to Broadview-Greenwood, and now we're Toronto-Danforth. Danforth is a great street, but there are other great streets in the riding.

I'm pleased to be able to speak to this resolution today. Our caucus will be supporting it, although we take a somewhat different stance or position on the Adams mine. We believe that it shouldn't happen. We don't believe there should be another EA, although of course we would welcome the federal government to come forward now, not wait for weeks until they get advice from the bureaucracy. Maybe then an election will be called and it won't happen. In fact, I've been hearing these rumours—I admit I can't prove it, and I hope I'm wrong—that there are certain Liberal members here talking to Liberal members at city council—and I know David Ramsay isn't one of those—asking them to support going ahead with this deal because the Liberals would like it off the table before the election is called. I really hope that isn't true, because we're counting on some of those Liberal councillors at Toronto city council to see the light here and understand, with all the evidence that has come forth since they made the initial decision, that they should not—it would be foolhardy—go ahead with this crazy, environmentally dangerous scheme.

Why I say that our position, the NDP position, is different from the Liberals' is that we made a very clear choice when we were in government. I know that at the time both the Liberals and the Tories, who were the third party then, didn't support us on that, and they had their reasons. They felt that all options should be on the table, especially during a time when we had a real environmental assessment process in this province. That was part of the argument: why not at least leave it on the table and let an environmental assessment determine whether or not it's a safe way to deal with our garbage? We took the position then, and I agree it was an unpopular decision—and we were beaten up pretty badly over the Interim Waste Authority—that there was no leadership on the garbage issue.

At the time when we were elected, garbage was a major issue. The Tories so far have been very lucky. I know the Liberals before us had to deal with it and then we walked right into it. It was a mess. Keele Valley was filling up and there was no leadership. Rightly or wrongly, we decided to take that leadership and, after consulting with many, decided that hauling waste to the north and dumping it in a pit was not an option. We also decided that incineration was not an option, that the

worst thing we could be doing would be to make it easy to get rid of garbage—out of sight, out of mind—because when that happens governments of all stripes, frankly, and all levels don't have the kind of pressure from the public to move forward in an environmentally sound way and a progressive way to start seeing our garbage as a resource, not something to dump in big holes and cause pollution.

Believe me, the pressure was there on our government. Cars were rocked and there was a lot of—

Interjection.

Ms Churley: Yes, and we went through hell over the garbage issue, but I've got to tell you that there was an up side to that process. We were right out front and open. There were no backroom deals being made. We set up an Interim Waste Authority with a very diverse representation and worked very hard to come up with some possible landfill sites in the GTA, knowing that we were going to have to become more and more aggressive on the 3R front.

All hell broke loose when that list of over 60—remember that list? “Oh no, not us.” Then that got shortlisted to three, if I recall correctly. One of the sites that the Tories like to bring up—although it wasn't the same Whitevale site as the Liberals had proposed before us, out of those three, one of the shortlisted ones was in that area. But of course we were defeated, and perhaps that was partly why the NDP was defeated. I want to point out, because the government members keep asking us questions in question period and some of the press say, “Why don't you answer the question?”—I don't want to get off my agenda. Because here we are in the year 2000 and these guys are in government, and have been since 1995, and are still trying to talk about things that were done or not done five or 10 years ago. That's the new strategy. I can assure you it isn't going to work.

I do want to say now that the site they keep bringing up was not a final decision. It was not the final site chosen, plus out of those three which were short-listed there would have been a full, comprehensive environmental assessment and there would have been intervenor funding so that the citizens—and I grant you, no matter which site would have been picked, there would have been a large citizens' coalition against it. They would have had intervenor funding to participate in a meaningful way in a full and comprehensive hearing. What that means is they would have had funding to hire lawyers and to hire expert witnesses. We all know that the government will spend millions before a hearing, because they've got the deep pockets; they've got the money to hire their lawyers, their experts to prove their case.

Hon David H. Tsubouchi (Solicitor General): Zero input.

Ms Churley: I'm getting under their skin because they know it's true. They cancelled intervenor funding. There is no more intervenor funding, so citizens cannot participate in a meaningful way any more.

The second thing is, the Harris government completely gutted the Environmental Assessment Act. When we

were in government, we were aware that there were some problems with the act and we made some changes. We actually tightened up some of the processes within that act because part of the problem was that it was taking too long. But the overall philosophy and direction of the Environmental Assessment Act we kept, and would have kept, because it is fundamental to real democracy in this province. What this government did, and I sat on the committee as the environmental critic for the NDP and I watched—

Interjection.

Ms Churley: Let me say to the members who are heckling over there—

Hon Mr Tsubouchi: It's only me.

1700

Ms Churley: It's only you, the minister for corrections.

I got into politics fighting garbage incineration in a very polluted area in my neighbourhood and I have to tell you we won. I want to say to people out there that you can win. It's a much harder job now, without intervenor funding and with a process that has been gutted and doesn't take into account any more the concerns of citizens.

Let me get back to telling you, before I was rudely interrupted, about what happened with the Environmental Assessment Act. When I was sitting on that committee I knew there was an advisory committee appointed to advise Mike Harris and his government about how to change the Environmental Assessment Act. What I didn't know at the time was that one of the key people on that committee advising Mike Harris and the Minister of the Environment and others on how to change that act was Mr Robert Power.

I wish I had known that at the time. We were doing everything we could to stop some of those changes, but I didn't know that the same guy who was advising the Minister of the Environment and the Premier on what changes to make to the Environmental Assessment Act was, lo and behold, the same lawyer who was on Gordon McGuinty's payroll, preparing for an environmental assessment to get the go-ahead for the landfill. I've said in this House before that something stinks here and it isn't just the garbage. That is outrageous. Then he was able to go back with the changes made that he needs for a streamlined, scoped—that's what we say now, "scoped"—environmental assessment.

Let's just tell the truth here when we talk about "scoped." We had to fight hard to make sure that when the government was making these changes—there was a lot of concern up front with the parameters of what's going to be examined before an Environmental Assessment Board, that it was just going to be the proponents and the government who were going to sit down at a table and determine how to scope the EA, ie, what would be taken off the table that we did fight for, that citizens and environmental groups came in and fought for, and we did get an amendment that the citizens' groups could

also become part of that process, of the scoping. That was the only change they agreed to.

Let me explain what we mean when we talk about scoping. What it means is that the heart and soul of the Environmental Assessment Act were just wiped out. Let me explain what I mean by that. Under the previous act—the Environmental Assessment Act before these guys ripped the heart out of it—you had to do several things and you had no choice. If you wanted to build a large landfill, you had to look at alternatives to the site and alternatives to the undertaking. Can you imagine the impact that would have had on the environmental assessment for the Adams mine scheme if the proponents had been forced to look at alternatives to the undertaking and alternatives to the site? But no, that was taken out.

The direction we need to go in here, with the latest technologies, which didn't exist pre-1995—the ability now with the latest and emerging technology is to pull out the organics, which cause the worst pollution. What we are most worried about going into the Adams mine lake is the organics, which actually cause the leachate that will poison the water. So we would have been forced to look at alternatives, and we would have been forced to look at alternatives to the site. Let's take a look. Obviously some proponents found that very cumbersome. But it was a good process because it put everything on the table, and we really, as a community and a society, had to look at the whole picture and the big picture, and it forced us to be progressive and move forward. With that taken off the table, none of those things were even raised.

Not only that, but just the bare-bones technology was looked at in this environmental assessment. Today I raised the question in the Legislature, and I've raised it before, asking the minister, because he still has to grant a couple of permits for the leachate draining and for the permanent taking of water, that there be full and comprehensive public hearings and time for a review and comment on those. If there was ever a time when we needed a full, comprehensive hearing looking at all aspects, this is it. This has not been tried before, and we have credible scientists who are on the other side of this, and I mean really credible scientists, who are saying, "This ain't going to work. You're going to poison water. There are cracks and fissures in the rocks." As my leader, Howard Hampton, revealed the other day, it's in an earthquake zone.

There are a lot of issues here. Surely to goodness, after what happened in Walkerton we would all agree that when we want to even look at something that is so experimental, we want all the facts put on the table and we want to hear from all sides and we want to make sure we're doing the right thing. In this case we are not, for a number of reasons. We're talking about polluting billions of litres of water to wash Toronto's garbage. Kirkland Lake is not a garbage dump for Toronto's garbage. What a disgusting idea—the promise of a few jobs. It really is nuts. The scheme is so crazy that I find it hard to believe that in the year 2000 we are actually going in this direction. There are alternatives.

City council is going to be making its decision in a few days, and I hope the Liberal members will work hard to convince the Liberal members of city council not to vote for this scheme. Did you know that the members of city council don't even have a copy of the full deal? They've just got a few pages of a synopsis of the thing. What are they going to be voting for? Are they going to have to pay? Is this part of the contract: if the city finally does move on and actually starts serious composting and using some of the new technologies to keep a lot of the resources out of the garbage and actually make money on it and create jobs, is there going to be a clause in there that the city has to provide a certain amount of garbage and, if they don't, they're going to have to pay anyway? What else is in the contract? Hopefully, city councillors are not going to support this.

I can tell you that our caucus is supporting this motion today but we don't necessarily agree with the direction, in that we think it should be off the table. The government does not recognize the kind of referendum the Liberal members are talking about today. We do welcome a federal environmental assessment. We want it now; we don't want it to wait until the last minute and then an election is called.

I'll end by saying this, and I can absolutely assure you that this is true. I want to say this with all due respect to my Liberal colleagues here, my Liberal colleagues down at city hall and my Liberal colleagues in Ottawa: this issue is not going to go away. I would say on the contrary; if city council votes to go ahead with this and a federal election is called and there has been no federal environmental assessment called, let me tell you this issue is really going to heat up in the election. If the Liberals hope that if city council votes for it then it's a done deal and we can go away and forget about it, not so. It's going to heat up even more and it's going to be a huge election issue, not only up north but here in Toronto. It's not going to go away; it's just going to get worse.

1710

This is a bad idea. This is a stupid idea. This is out of sight, out of mind; send it up north and it's over. We not only don't have to worry about our garbage any more but we don't have to worry about moving on into this century and finding more progressive ways, as has been pointed out. Other jurisdictions are doing it: Halifax; Edmonton; Guelph has a small project.

If we put the money and the commitment there, if we put as much energy into it as the government and others are putting into trying to make it work at Adams mine, you know what? Eventually, and the goal is, we won't have mega-dumps any more and the dumps, the landfills that are left over, from the waste that comes out—the composting and more and more of the recyclables, getting people to reduce their garbage in the first place—if there are real concerted efforts to do that, yes, there'll still have to be some landfill but the leachate won't be a problem. These things are already happening in other jurisdictions. We don't have to reinvent the wheel.

I urge everybody to support this motion. I know the Tories aren't listening. I'm just very sorry that they are sitting there and willing to leave this kind of legacy for our kids and our grandkids and many generations to come. It's 1,000 years we're talking about here with unroven technology and not a real environmental assessment; in fact, a rigged environmental assessment so that Gordon McGuinty could get his way and make a lot of money. Mike Harris's friend gets paid off; the consortium that's buying from Gordon McGuinty, what do they do? They give a couple of thousand dollars a year to the Tories—Waste Management Inc. Then, in the last election year, all of a sudden it went up to \$74,000 and counting. What's wrong with this picture? As I said, something stinks here and it ain't just the garbage.

This is a terrible legacy to be leaving. Mark my words, it might not happen when you're in government, but down the road we're going to have a catastrophe if this goes ahead, and you're going to be responsible for it. You're going to be totally responsible for it, for allowing this to go ahead.

In closing, what I'd like to say is that I don't believe that this is going to happen anyway, because, thank goodness, there are sensible people out there and a lot of people out there who are objecting to this, and I'm going to be there with them. They're going to block a train from coming through with the garbage, should it get to that point. There are going to be protests like this government has never seen before. The bottom line is they can go ahead with this crazy scheme if they want to, but this is one that isn't going to work. We're going to stop it, by hook and by crook.

Mr David Young (Willowdale): I want to say at the outset that what we are dealing with here today in this provincial assembly is, in fact, a matter that is within the local purview. It is a matter of local autonomy, and I think it's important that we remain cognizant of that throughout the debate, because, frankly, we haven't talked about that a lot. We must remember, of course, that what we are trying to pass judgment on here are decisions that have been made at the city council in Toronto by duly elected officials and in a number of the neighbouring municipalities: Peel, Durham and York. It is because of that, because of that context, that I am puzzled at the Liberal motion that was tabled this afternoon.

I was at the Association of Municipalities of Ontario conference in August of this year when Mr McGuinty, the Leader of the Opposition, stood at that conference and spoke at some length about forging a new partnership with municipalities across this province. He said that if he were Premier, he wouldn't force his decisions upon local municipalities. He said that very clearly he would respect their autonomy.

We in this assembly, and the people of this province, are used to Liberal flip-flops. But I suggest that a flip-flop of this magnitude on an issue this important over six weeks is shocking even to those of us here who are, one would have thought, quite used to Liberal inconsistencies

and changes of opinion. I am puzzled by that. I am wondering why Mr McGuinty would step forward at this time and say he would overturn decisions of duly elected local councils, because that is what he is saying without any doubt.

Let's talk for a moment about one of the councils whose authority he wants to take away, to usurp their authority and impose his own. The one that is mentioned most often is the city of Toronto. Of course, the Toronto city council is headed by Mayor Lastman. I know you're familiar with Mayor Lastman, Mr Speaker, as are we all. I'm a big supporter of Mayor Lastman, I might say, as is the member for Eglinton-Lawrence. I believe the member for Eglinton-Lawrence is one of the chairs of Mayor Lastman's re-election campaign. It's the second time; he had a similar role in 1997.

I ask the member for Eglinton-Lawrence publicly in this assembly what advice he has given the mayor he is trying so hard to re-elect. I'd like to know what advice he has given to the mayor on this issue. Has he been following the party line, or does he harbour a private, personal opinion different from that of his party? We know where Mr Lastman stands on the issue. A day doesn't go by without a headline appearing in the paper with Mr Lastman saying emphatically, "Stay out of our business, province. Stay out of our business, federal government. It's our decision. Let us make it." "Stay Out Of Our Trash," was one of the most recent headlines. I ponder aloud what the Liberals would say to that inequity, and I look forward to hearing perhaps from the member for Eglinton-Lawrence as to what position he takes in this very important debate.

I sat and listened as well to the Leader of the Opposition earlier today, and I was very hopeful I would hear from him constructive criticism and constructive suggestions about what should be done with our garbage. To be fair to Mr McGuinty, he did propose a couple of suggestions. First, Mr McGuinty was of the view that we should be shipping garbage to Michigan.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Short term.

Mr Young: Yes, that's right. One of the members is very quick to remind me that it is short term, and I'm going to come back to that in just a second.

But before we move on to that, Mr Speaker, I ponder aloud and I ask you and the members of this assembly: has the Leader of the Opposition, who this week seems so fond of municipal referendums, gone to the people in the area through which the trucks would travel? Has he gone to the people in Windsor West, has he gone to the people in Windsor-St Clair, has he gone to the people in Sarnia and asked them, "Do you want millions of tonnes of Toronto's garbage to be coming through your city streets on a regular basis?" If he has the results of those referendums, he should share them with us. I think he has not done so.

One of the members opposite—I think it was the new member, whom I welcome to this assembly—was quick to mention that this is a temporary solution, a temporary

solution indeed. One of Mr McGuinty's other suggestions was to point to what happened in the cities of Edmonton and Halifax, his suggestion being that we should replicate those experiences.

I did a little research and found that, to a degree, they have done a good job recycling there. In Halifax they're able to divert in the neighbourhood of 66% of their garbage, which leaves about a third of their garbage. In Edmonton, an example that is frequently referenced by the members opposite in the Liberal Party, one day they may get down to as little as 25% garbage—the garbage of the garbage.

Mr Ramsay: That's pretty good.

Mr Young: That is pretty good. I hope the member from the Kirkland Lake area also realizes that diversion rate is so high because they have an extensive composting program that creates compost which goes to the oil sands. In fact, the process was initiated by those in the oil sands who require this material. There is a unique situation there, and I applaud the municipal politicians for having the foresight and proceeding in the manner they have. Let there be no mistake: even in Alberta it is a municipal initiative, and not provincial.

1720

So when we're comparing, let us ensure that we are comparing apples to apples. Let us also remember that at the end of the day, you're left with garbage, whether it be 25%, 33% or 50%. There is no example that has been tabled in this Legislature of a municipality that has been able to dispose of all of their garbage in North America. Let me tell you that a quick review of the Edmonton Journal would tell you that there is in fact a very similar debate going on in Edmonton right now: how to dispose of the remaining garbage?

This is so contentious that it was recently the subject matter of a court case. For the record it's the Ryley dump site that has enraged the people in that vicinity. Let's be clear that they have a very similar debate going on there.

In closing, you're left with this: where do the Liberals suggest the garbage should go? They were very quick to say where it should not go, but they have demonstrated absolutely no leadership and no constructive suggestions at the end of the day. I think they may still have some time on the clock. I'm going to sit down and listen attentively to find out if and when, finally, we will hear something from the Liberals other than the duplicitous rhetoric that seems to occupy all of their time.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): In the few minutes remaining for the government side, I would like to address comments that have been made by several members of the Liberal caucus and the NDP caucus that essentially take the statement that the environmental assessment, the whole environmental assessment that was undertaken, was fudged. That's not true. We should do it again; they didn't like the result, so they want to do it again.

I want to remind my friends in the opposition what they did when they were in office. If you remember, when the lifts were put on Britannia, when Keele Valley

was extended, when Whitevale was extended, you know what they did? They didn't have any environmental assessments—no hearings. They canned them. So I think it is rather hypocritical—

The Acting Speaker: You may want to withdraw that word.

Mr Tilson: I withdraw that comment, Mr Speaker, mainly because I have another three minutes that I want to speak in. I want to tell you a little bit. The Minister of the Environment has already said that the government has done—and remember, you know who is asking for this? The city of Toronto is asking for this. I've had a few constituents of mine call up and say, "Stop it."

I'll tell you, Mayor Mel's telephone number is (416)395-6464. Call him. He made the application; we didn't make the application on this side. It's their garbage; it's not the province of Ontario's garbage. We do have regulations, however. We do have an Environmental Assessment Act. I'll tell you a little bit about what we've done. We had a full environmental assessment which was completed in accordance with the Environmental Assessment Act.

Ms Churley: You did not.

Mr Tilson: The member says we didn't. We did. We did have one. I don't know what she's eating over there.

Finally, the Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system to ensure that groundwater contamination would be prevented. Hearings lasted six months and the board attached 26 conditions to the plan. So to say that nothing's been going on—this was going on when we were in opposition. When the NDP were in office, things were going on with respect to the Adams mine site. This isn't new. That was 10 years ago.

Finally, a certificate of approval was issued after further technical analysis of the project, and the certificate carried 66 conditions. The minister has referred to this, I believe, in question period today and in his comments in the House. Finally, there were eight independent peer reviews that carefully analyzed the details of the plan and submitted their reviews to the Environmental Assessment Board.

Someone came along and once the EA was approved, there was a judicial review. It went to the courts and the decision to approve the EA was upheld. Then that was appealed. An application for appeal was filed and it was dismissed.

My friends in the opposition are saying, "Let's have another environmental assessment," because they didn't like what went on before, notwithstanding what these two parties had done when they were in office with respect to their environmental policies. They would decide things without environmental assessments.

We've also got to remember—there are some comments about what this is—this was an abandoned iron ore mine. When it was operating, these various types over here wouldn't care even though it was raping the land, with the type of environmental work that was being done

by the iron ore mine. Why all of a sudden are they the great protectors of the environment? Why? Because it's politically expedient for these people to do what they're doing. We've already heard a quote in the House. Mr McGuinty has once more flip-flopped.

Mr David Christopherson (Hamilton West): I appreciate the opportunity with the few minutes that are left to say a few things about this. First of all, a lot of the details have been dealt with this afternoon and I don't intend to go over that again. But I do want to take my moment on the floor to impress upon the government the absolute importance of showing some leadership here and thinking ahead.

To be fair, I can understand the pressure that exists in the city of Toronto with regard to what are they going to do. I can equally understand some of those folks in Kirkland Lake and the surrounding areas who see this as a unique economic opportunity, one that may not come by their way again. Goodness knows, with the lack of attention this government pays to northern Ontario, they've got to grab every opportunity they have.

At the end of the day, the provincial government, being the senior level of government with regard to the issue of garbage disposal, has got an obligation to look beyond those immediate pressures. That's why we have different levels of government. If you take a look at the development and the debates and the early discussions, especially around the US Constitution, they talk right in there about what a difference it makes in terms of making policy decisions when you're not right there on the ground and you can get a little distant from the issue. Having been a former alderman, I can feel the difference when we're dealing with most issues, not all, but many. You really do have an obligation to provide something more than just facilitating an immediate—and in the context of the time frame we're talking about, I'm going to say knee-jerk—reaction, because that's what this is.

The desperation that exists in Toronto is real, but come on. In the shadow of Walkerton, so is the worry about contaminating our natural water, a legitimate concern. This is untested, unproven technology. Are you so hard up to get this issue off your political plate that you're prepared to totally ignore and disregard all of the concerns?

I know your initial response is, "It went through the process." But you changed the process.

Ms Churley: It was rigged.

Mr Christopherson: My colleague from Toronto-Danforth says, "It was rigged." Certainly it would seem that there were certain moves that mysteriously fit nice and neatly with this proposal. So when you say that this had an environmental assessment, people in the public need to understand that it did not have the same kind of intensive environmental assessment that existed prior to the Tories changing the rules.

1730

Where are you going to be if we find out that the leachate is indeed getting into the water? Where are you going to go? Let me tell you: once you privatize water in

any way, shape or form, it's very difficult to put the genie back in the bottle. The problems that my community has been having with water treatment since it was privatized, and the accountability that was supposed to be there—only instead you find you get resistance—are really making a lot of Hamiltonians question whether or not that was the right step.

I see certain colleagues from Hamilton nodding their heads, saying yes. For whatever reasons one might have thought this had merit at the time, the experience of it is not what our citizens expect.

For the life of me, I just can't understand why you're prepared to allow this when there's such lack of certainty. My leader has raised the issue of earthquakes. There could be all kinds of different natural disasters that could throw off these supposedly well-laid plans, and you're prepared to ignore all that.

It's neat. When you want to stretch time out, you say, "Well, we want to take time to do this once and do it right," but that never seems to apply when you're rushing in the face of known danger. How are each of you going to feel, as members of a government, right in the shadow of Walkerton—let's say something happens five, 10, 15, even 20 years out.

Ms Churley: Maybe 900 years out.

Mr Christopherson: My colleague says, "Maybe 900 years out." It could be. We don't really know the implications. We don't know whether or not the technology is going to work. Why are you lending your voice and your support to something that even may remotely, possibly, poison the water of a community in Ontario when Walkerton just happened a few months ago?

I understand that the concept of keeping and dealing with your local garbage issue locally is difficult for some, especially a large city like Toronto. Nonetheless, in terms of the long-term best interests of waste management and protection and sustainability of the environment, it makes the most sense because it forces all of us—and again I hearken back to my experience in local government. It's amazing how creative you can get when you have to. In this case, you're the gatekeeper to whether there will be the kind of creativity, determination, discipline and investment in the alternatives that are available or not, and right now, we're at "not."

I think this is yet another one of those issues where, down the road, people are going to look back and say, "How on earth did they ever allow this to happen? It was so obvious." It will seem that way if we run into trouble. Is that a guarantee—we're going to run into trouble? No. No one knows. That's exactly the point. No one knows for certain. So why allow it? Why risk it? Why chance it—over garbage—when there are known alternatives that can work? They require an investment, they require determination, they require discipline as a community, but they do work, and it's better than this.

Just to leave the debate, because I've only got seconds left, I can really feel for those people who live in Kirkland Lake who really worry about what this does to their city's self-image and to their ability to market their

community to other investments. They have a legitimate concern, and they're looking to the provincial government to use your power and authority to step in, to do the right thing for those people and for our environment.

Mr David Ramsay (Timiskaming-Cochrane): I'm obviously very pleased to be able to stand in my place today to speak to this debate. I thank my leader, Dalton McGuinty, for moving this opposition day forward to give all members of this House a chance to speak on this. There have been a lot of speeches made at home on this, and I think it's fitting that there be some speeches on this issue in the Legislature, just to give people an update. It saddens me that this is the type of action that my constituents have to take, but farmers in Earlton have occupied the Ontario Northland tracks since 10 o'clock this morning in their battle to try to stop this.

It's very sad that we face a government that, instead of being our referee in an issue such as this, has really jumped into bed with the proponent. We've lost any sense that democracy is happening in this process here. It really saddens us because I think people in a free democratic state shouldn't have to go to these extremes. People ask me, "Well, gee, with so many of us against this, why wouldn't they listen?" We're still trying, and we hope today, maybe through this exercise, they will listen and they'll support this resolution.

I'd like to just address a couple of the issues that were brought up today in this debate. It seems to be endlessly debated whether this was a full environmental assessment or not. I think it's interesting, because several of the members have brought up a quote of mine from 1994 that I absolutely stand behind today. It is a shame that we have to send garbage to the United States and produce jobs there, just like it is for cancer treatment. It's a shame that we have to use the United States for anything. All the jobs should be created here. We should be able to contain and take care of our garbage within Ontario. We should be able to do that.

Yes, I've always called for a full environmental assessment. No, we didn't get one, and the reason we didn't get one is because this government, four years ago, changed the Environmental Assessment Act. Many members have talked about why that's happened, that they used the very same lawyer of the proponents, who used to work for Metro pushing this deal, then worked for Notre Development. They hired this person, they changed the act and that means they've got a scoped hearing. This never happened before. When you had an environmental assessment hearing, you could then look at all of the issues. This is the very first time that a project of this magnitude has been scoped down, narrowed down to 15 days. Previously, landfill sites in Ontario, nowhere near the magnitude of this, took anywhere from 86 to 160 days in this province. But in this case, the rule was changed, the law was changed and the minister of the day said all you could look at was the hydraulic containment issue. You couldn't look at all the other issues that we felt were important up there. The economic impact to the district could not be looked at.

The cultural, social or ecological impacts to the district could not be looked at. The impact of downstream economic development could not be looked at, and the cost and the feasibility of repair and the cessation in case of a failure of the site, and that's a big problem. There really hasn't been any sort of detailed planning of a contingency if something does go wrong at this site.

It is amazing that this thing has gone through, and it is a fraud. I'm sorry to use such strong language, but it is a fraud. The books have been cooked because of the involvement of several people of this government. We've documented that over the years. We're coming down to the last days now of this thing and I'm telling you, the people are not going to accept it. Why they're not going to accept it is because of the other fraud that's unfortunately been perpetrated at home, and that is that we are a willing host. We are not a willing host. Cleverly, the proponent in the late 1980s and the early 1990s approached three surrounding municipalities of this site, which sits in none of those, by the way. This site sits in unorganized territory not governed by any of the three so-called host communities. He basically cut a deal with those municipalities to say, "I'll give you a percentage of the tipping fee if you sign on and say that you are a willing host." That's what they did.

They bring up the referendum that happened in the 1991 municipal election. That referendum—and I would have supported it at the time if I was a voter in Kirkland Lake—was to say "I agree to proceed with a full environmental assessment hearing on the Adams mine project." Sixty-nine per cent said yes and we started to embark on that study. The original proposal was for a recycling plant and spin-off industries and other ways to dispose of the waste. In the end, what we're left with is a private sector dump. That's all it is. None of the valuables come up. We don't gain anything from that waste stream. We just get a dump.

I think as we started over the years to then learn what this site was—because I think many people in southern Ontario today think either this is some sort of mine shaft, which it isn't, or that it's just a rock pit that nothing would leak from, which of course it isn't, because water flows in and water flows out. As a colleague of mine previously had said, if you put a pail out in the rain over those years, it would overflow. This pit has never overflowed. It will never do that. The water flows in, the water flows out, and it stays at about the halfway level.

1740

Gerard Kennedy saw it yesterday and many in my caucus have seen this pit, and you see from the posters that it's a lake. It's now a man-made lake. In fact it's probably one of the largest freshwater wells in Ontario, created by the mining operation in the late 1980s. What that 600-foot-deep pit does is cut right into the continental watershed of northeastern Ontario. When that dump leaks, it's going to contaminate Lake Timiskaming, the headwaters of the Ottawa River and down the Ottawa River watershed. Maybe when that happens none of us in this room are going to be around, but it's sure going to be

in our legacy, those of us who didn't stand up for the environment in the year 2000 to say, "We shouldn't have done this," and that we did this for 20 years of jobs, for 20 years of revenue for a few people to get rich. We sacrificed the environment. We contaminated water. We spent four or five months making this decision, after we had learned through Walkerton that we need to treat our water resources with respect; that we shouldn't purposely use groundwater, as this project does, to purify our garbage, with the hope that we would capture every drop of this leachate, hopefully to purify it as much as we could before we discharge it out into the environment.

This just runs so contrary to the normal engineering standards and the MOE standards of how you would construct a landfill site. It's wrong. What you try to do, as hard as you possibly can, is to keep garbage separate from water. You pick the best site, the driest site that you can, the one that you can construct in the best way, and you want to line it with rubber and plastic liners and clay, to keep that water out of there. But in this case, no, we're going to find basically the biggest source of fresh water in northeastern Ontario and we're going to put 20 million tonnes of Toronto's garbage in there and use that beautiful water to clean it up. Well, that's wrong, and I must tell you that I know the majority of the people who know about this project and who are learning about this project every day and who are developing an understanding of it understand that it's wrong, too. The people out there are so far ahead of the politicians who are pushing this thing, it's sickening.

It's too bad we don't have enough time for this really to develop as a big issue in the municipal election in Toronto, because as people in Toronto learn about this—and they tell me this every day—they feel ashamed that they're doing this to their brothers and sisters up in northern Ontario. It's wrong. I say to the people of Toronto and I say to the council of Toronto who are looking at this for one last time tomorrow that it is wrong and that if you embark down this road, that garbage is never going to arrive. The will and the resistance of the people of the Timiskaming district is strong, the first nations' will is strong, and we are working together. If there is anything good that ever came out of this, it has forced all of us to work together in a common cause to stop this invasion of our water resource in northeastern Ontario. We are going to do that.

Mike Harris said in the late 1980s that garbage would never go north, and I agree with what Mike said there. It should never go north, it should never go to this spot, it should never pollute water, and the people of Timiskaming will be on that track, on that highway, to make sure that Toronto garbage never, never gets to the Adams mine.

The Acting Speaker: Mr McGuinty has moved opposition day number 1. It is the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1744 to 1754.

The Acting Speaker: Members please take their seats.

Mr McGuinty has moved opposition day number 1. All those in favour will rise one at a time until recognized by the Clerk.

Ayes

Agostino, Dominic	Di Cocco, Caroline	McGuinty, Dalton
Bartolucci, Rick	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gerretsen, John	Parsons, Ernie
Bradley, James J.	Gravelle, Michael	Patten, Richard
Bryant, Michael	Hoy, Pat	Peters, Steve
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Ruprecht, Tony
Conway, Sean G.	Levac, David	Sergio, Mario
Crozier, Bruce	Martel, Shelley	

The Acting Speaker: All those opposed will rise one at a time until recognized by the Clerk.

Nays

Arnott, Ted	Hodgson, Chris	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Wettlaufer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	Newman, Dan	Young, David
Hardeman, Ernie	O'Toole, John	
Hastings, John	Ouellette, Jerry J.	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 35; the nays are 46.

The Acting Speaker: I declare the motion lost.

It being past 6 of the clock, I declare the House adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Baird, Hon / L'hon John R. (PC)	Nepean-Carleton	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire au ministre de l'Environnement
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (L)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
Brown, Michael A. (L)	Algoma-Manitoulin	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
Carr, Hon / L'hon Gary (PC)	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Churley, Marilyn (ND)	Toronto-Danforth	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Clark, Brad (PC)	Stoney Creek	Parliamentary assistant to the Minister of Health and Long-Term Care, assistant deputy government whip / adjoint parlementaire à la ministre de la Santé et des Soins de longue durée, whip adjoint suppléant du gouvernement
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
Clement, Hon / L'hon Tony (PC)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Coburn, Brian (PC)	Ottawa-Orléans	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Colle, Mike (L)	Eglinton-Lawrence	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
Cunningham, Hon / L'hon Dianne (PC)	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	assistant deputy government whip / whip adjoint suppléant du gouvernement
Ecker, Hon / L'hon Janet (PC)	Pickering-Ajax-Uxbridge	Minister of Education / ministre de l'Éducation
Elliott, Brenda (PC)	Guelph-Wellington	Parliamentary assistant to the Minister of Citizenship, Culture and Recreation and minister responsible for seniors and women / adjointe parlementaire à la ministre des Affaires civiques, de la Culture et des Loisirs et ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Eves, Hon / L'hon Ernie L. (PC)	Parry Sound-Muskoka	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Flaherty, Hon / L'hon Jim (PC)	Whitby-Ajax	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Hon / L'hon Ernie (PC)	Oxford	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Harris, Hon / L'hon Michael D. (PC)	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Hodgson, Hon / L'hon Chris (PC)	Haliburton-Victoria-Brock	Chair of the Management Board of Cabinet / président du Conseil de gestion
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Hon / L'hon Tim (PC)	Erie-Lincoln	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Jackson, Hon / L'hon Cameron (PC)	Burlington	Minister of Tourism / ministre du Tourisme

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Johns, Hon / L'hon Helen (PC)	Huron-Bruce	Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiles, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Johnson, Bert (PC)	Perth-Middlesex	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Hon / L'hon Frank (PC)	Oak Ridges	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Lankin, Frances (ND)	Beaches-East York	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Hon / L'hon Margaret (PC)	Mississauga South / -Sud	Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire au ministre des Services sociaux et communautaires
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough-Aldershot	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités
Munro, Julia (PC)	York North / -Nord	assistant deputy government whip / whip adjointe suppléante du gouvernement
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	
Newman, Hon / L'hon Dan (PC)	Scarborough Southwest / -Sud-Ouest	Minister of the Environment / ministre de l'Environnement
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire au ministre de la Consommation et du Commerce
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines

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Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
Runciman, Hon / L'hon Robert W. (PC)	Leeds-Grenville	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Ruprecht, Tony (L)	Davenport	
Sampson, Hon / L'hon Rob (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, Hon / L'hon John (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Tourism / adjoint parlementaire au ministre du Tourisme
Sterling, Hon / L'hon Norman W. (PC)	Lanark-Carleton	Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Stewart, R. Gary (PC)	Peterborough	
Stockwell, Hon / L'hon Chris (PC)	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Minister of Education / adjoint parlementaire à la ministre de l'Éducation
Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Minister of Health and Long- Term Care / adjoint parlementaire à la ministre de la Santé et des Soins de longue durée
Tsubouchi, Hon / L'hon David H. (PC)	Markham	Solicitor General / solliciteur général
Turnbull, Hon / L'hon David (PC)	Don Valley West / -Ouest	Minister of Transportation / ministre des Transports
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	deputy government whip / whip adjoint du gouvernement
Wilson, Hon / L'hon Jim (PC)	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth (PC)	Kitchener-Waterloo	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion
Young, David (PC)	Willowdale	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances

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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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**Assemblée législative
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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 3 October 2000

Mardi 3 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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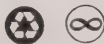
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 3 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

WOMEN'S SHELTERS

Mrs Marie Bountrogianni (Hamilton Mountain): Martha House is a 28-bed women's shelter located in Hamilton, and it is swamped. They are far above their occupancy rate. There are entire families living in hotels waiting for rooms to become available in the shelter. Women and children do not want to be in shelters, but they need a safe and secure place to stay while they recover and readjust.

The staff of the shelter wrote to Minister Baird months ago about the poor staffing levels they experience and their inability to retain staff due to lack of proper funding. Often the 28-bed shelter will have one staff member on duty. It is becoming a question of safety of staff as well as burnout and stress.

Hamilton now is accepting the third-highest number of immigrants, following Toronto and Vancouver. Large numbers of women in the shelters don't speak English. They cannot communicate their experiences to the staff at the shelters. This is creating a two-tiered victimization. If women have placed a criminal charge against their abusive partner, they are eligible for funding for cultural interpreters. But if they are unwilling to place charges, they are ineligible for translators.

Lenore is the co-director of Mary's Place, Martha House and Somerville House. She is on call 24 hours, seven days a week for a two-week period. She shares this responsibility with only one other woman. She can receive 10 to 12 calls over Saturday and Sunday, often in the middle of the night and the early hours, for crises which arise for women who suffer not only from abuse but from their partner's addiction problems and mental health issues, women who are afraid for their lives and their children's.

It is only sad and unfortunate that it took the brutal deaths this past summer to bring this issue back on the political agenda.

VILLAGE OF ARTHUR

Mr David Tilson (Dufferin-Peel-Wellington-Grey): A couple of weeks ago, I had the honour of attending an

unveiling at the cenotaph of the village of Arthur in Wellington county. The Arthur Legion held a special ceremony to commemorate Arthur residents who served our country during the Second World War by inscribing their names on the cenotaph. I was moved by the sheer number of names that were included in this ceremony.

Members of this Legislature will find it interesting to note that near the end of the Second World War, the village of Arthur was believed to have the highest ratio of residents in uniform. More than one out of every seven Arthur residents was in uniform, giving it the designation of the most patriotic town.

Arthur's support for the war effort did not stop with enlisted members. Victory bonds, a popular way for the government of the day to raise money for the war effort, were highly subscribed to by Arthur residents. At the end of the third Victory loan, Arthur residents had subscribed to over \$250,000 in war bonds. With a population of only 900 residents, this amount equalled 64% of the assessed value of the village's taxable property at that time. It is a most patriotic town indeed.

I would like to congratulate the Arthur Legion for organizing this ceremony to honour residents of Arthur.

HIGHWAY 404

Mr David Caplan (Don Valley East): Since the start of construction on Highway 404, residents in Don Valley East have expressed their concerns to me. Over the summer, I took the time to survey residents in the area, and I want to share the results with the House and with the Minister of Transportation today.

Some 91% of residents noted an increase in noise coming from the highway within the past year, and they clearly indicate an overall increase in the amount of noise at all times, both day and night. Many cannot sit outside their homes, in their own backyards, because the noise drives them back inside.

They are concerned about air quality and the amount of pollution from exhaust fumes. They are concerned about the increased level of dust due to the construction.

I'd certainly like to pay tribute to the many residents who suggested constructive solutions. Some of the ideas, and I just have a sample, include a restriction on the use of truck manifold brakes, greater use of berming, increasing the amount of shrubbery, reducing the speed limit in the area, and even larger noise barriers.

Overwhelmingly, the people who responded indicated their desire to meet with Ministry of Transportation offi-

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: In addition to the absence of the Premier, the Minister of Education, the Minister of Health and the Minister of Labour, we have been told that the Minister of Northern Development would be here, whom we'd hoped to question, and I wonder if it is in fact the case that that minister will be here. We have not been advised otherwise.

The Speaker: As you know, I do not control who's here and who's not. I would look for some guidance from maybe the chief whip. There is no chief whip here. It is now time for oral questions. As you know, the Speaker does not decide who is and who is not here.

Interjection.

The Speaker: The minister is coming in. We'll give him a moment to get settled.

1350

ORAL QUESTIONS

AIR AMBULANCE SERVICE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Northern Development. Your government is continuing to privatize health care in any way that you think you can quietly get away with. We've seen it happen in home care and in long-term care and in laboratory services, and now it's air ambulances. You've decided that the contracts of air ambulance paramedics are going to be turned over to the private sector. You're going to set up another chaotic process to see who's going to make you the best offer, meaning who will run this service cheaper for you.

The air ambulance service is vitally important for people who live in northern Ontario and for anyone who travels in our more remote communities. The service is working well. It's providing high-quality, dependable access to emergency care.

Minister, surely your government is not trying to do more with less when it comes to a vital service like air ambulance. Why are you so determined to take risks with people's lives by privatizing the air ambulance service?

Hon Tim Hudak (Minister of Northern Development and Mines): I'm pleased to respond to the member opposite. In fact, what this government strives for, in northern Ontario in particular and throughout the province of Ontario, is to ensure that patients have access to the best quality care, at the right place and the right time, as quickly as possible.

With respect to emergency services, with respect to doctors and equipment, for example, with respect to technologies in northern Ontario, I'm very pleased to work with the Minister of Health and Long-Term Care to make sure that northern patients have access to quality health care closer to home, to make sure that emergency services are responsive.

That's why, as the member from Thunder Bay well knows, we're building a new hospital in the Thunder Bay area; we've increased programs to train doctors in northern Ontario, to attract more physicians to the north; and through my own ministry's heritage fund, we've made investments in technology and telecommunications to make sure that patients get high-quality access to health care.

Mrs McLeod: Mr Speaker, it's parliamentary procedure that supplementary questions have to follow the lead of the initial question. It's too bad the answers to the initial question don't have to be relevant to the question asked.

Minister, I asked you about air ambulance service. It becomes apparent that the Minister of Health has not even told you that she is about to privatize the air ambulance service with four of the five air ambulance spaces in northern Ontario communities. This is an appalling lack of understanding on the part of the Minister of Northern Development about what this will mean for access to vital air ambulance service for northern Ontario residents.

There is no question, let me be the first to inform you, that your government, although it has made no public announcements about it, is going ahead with it. The fact that there have been no public announcements is a sure sign that the minister doesn't want anybody, including you apparently, to know anything about this. But the paramedics have been sent notices that they have to choose whether to be part of this new process for awarding their contracts. They're being asked to do this without any information about what your government is planning to do when it comes to standards of care.

You should know that right now the flight paramedics have critical care training. They are the most highly trained paramedics in the ambulance service. This is training that your government provides. In fact, your Ministry of Health takes pride in the successful partnership of the public and private sectors in providing for air ambulance paramedics. There is no guarantee coming from your government that that standard of care is going to be maintained, and there is every reason to believe that private operators will be willing to lower the standard of care to pay lower wages.

Will you tell us how you can guarantee that the standard of care will be maintained if you privatize the service and let the for-profit—

The Speaker (Hon Gary Carr): Order. The time is up. Minister.

Hon Mr Hudak: As I mentioned, I'm very pleased to work with the Minister of Health and Long-Term Care to ensure that issues that come from northern Ontario are addressed in the health care system with respect to air ambulance services, land ambulance services and, as I've said, improving emergency care services for northern Ontario.

In fact, this is a government that is not willing to leave the status quo in northern Ontario. We're intent on im-

proving the quality of health care in northern Ontario, to bring better quality services across northern Ontario.

I remind the member opposite, when she was leader and had her red book, or the one subsequent, she had not even contemplated anything near the kind of reinvestments that we're putting into northern Ontario, whether it's better quality in emergency rooms, more equipment or higher technology. We're looking at services in dialysis; increasing cardiac care in northern Ontario. We don't want to leave the north behind like this party wanted to leave the north behind. We're making the proper reinvestments in the health care system to ensure that northern patients have quality access to care and timely access to care. It's a task that we will not shirk on.

The Speaker: The minister's time is up. Final supplementary?

Mr Rick Bartolucci (Sudbury): Like so many other things your government does, you are destroying the old house before building the new one. You are supposed to be the champion of northerners around the cabinet table, not a cheerleader for Mike Harris across the north.

In the air ambulance sector, minutes and seconds can make the difference between life and death. Experienced air ambulance staff, all these critical-care flight paramedics who are telling you that this is a ludicrous plan, these professionals possess over 300 years of experience. In your madness to privatize this health care service, you are throwing away this valuable experience where their judgment saves lives. People like Darryl Taylor from Sudbury, Ron Laverty from Sioux Lookout and Mark Bechard from Timmins are testament to the fact that experience saves lives.

Will you stand in your place today, throw the blue and white pompoms away, take off your Mike Harris cheerleading outfit and tell these critical-care flight paramedics and the broader public in Ontario, especially northerners, that you, as the Minister of Northern Development and Mines, are opposed to the privatization of the critical-care flight paramedic service? Will you stand and say that today?

Hon Mr Hudak: What the member well knows but won't inform the House is that the province retains responsibility for province-wide coordinated air ambulance services and no decisions have been made with respect to the air ambulance service in the future. But it's interesting to hear the member talk about tearing down the house. In fact, the member here is part of the opposition that would build a straw house in northern Ontario.

I wonder where he was when they were developing the policy last election to put a mere \$50 million in reinvestments into northern Ontario. There is by far in the heritage fund alone that kind of increase in northern Ontario; similarly, an \$850-million investment in northern Ontario highways. And I wonder where the member was when we were on the leading edge to build a brand new hospital in the Sudbury region. The member was nowhere to be seen; in fact, I think he was trying to stop a new hospital in Sudbury.

We want to build the best possible care in Sudbury: a vets' hospital, cancer care. It's the Mike Harris government that's doing it, and I'm glad to be a cheerleader for that. He was nowhere to be seen when these ideas came forward in the Liberal Party.

ONTARIO POWER GENERATION

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment. The minister will remember that in May of this year in answer to a question from Dalton McGuinty, the Leader of the Opposition, when he was pressing, the Premier, to the astonishment of everyone in this House, said the following, and you will remember this, Minister: "There will be no sale of the Lakeview plant as a coal-burning facility." That's very clear. That's very straightforward.

Given that Ontario Power Generation has announced that it will, at some considerable expense, install low-NOx burners on two of its four units at the Lakeview Generating Station, do you expect anyone to believe the Premier's promise is now going to be kept? Will you assure the House and the people of Ontario today that you will not try to weasel out of the Premier's commitment? Will you state clearly and without any weasel words, without any ifs and buts, that the Lakeview Generating Station will be converted to natural gas? Will you state that clearly?

Hon Dan Newman (Minister of the Environment): I want to say to the member opposite that this government is committed to ensuring that strong environmental protection measures are in place as we move forward in a competitive electricity market. Our commitment to the environment has been a mainstay throughout the electricity restructuring initiative. That's why we implemented a moratorium on the sale of coal-fired plants until a thorough review could be completed of the options that would protect the air we breathe. We remain committed to this review, and in the meantime applaud the effort made by those participating within the electricity market to decrease harmful emissions into the air that we breathe.

1400

Mr Bradley: Much to the chagrin of the members around the minister—when I used the term "weasel words," they were all hollering, and yet I ask everyone in the House to conclude: what did they just hear from the minister?

Minister, the Ontario Medical Association stated this year that there would be 1,900 premature deaths as a result of air pollution in this province. It would cost \$1 billion a year in health costs and people not being able to go to work. Will you admit that the half measures—and I say at best half measures—announced by Ontario Power Generation, which deal with only one contaminant and ignore 29 other toxic substances, are completely inadequate, or is it your intention to try to defend this pathetic approach by your friends at Ontario Power Generation? Is your government going to take its marching orders

cials to find a solution to a significant quality-of-life issue. To that end, I took the liberty of arranging such a meeting with the ministry and the residents. I expect to see hundreds of residents in attendance. This meeting will be held a week from today, Tuesday, October 10, at 7:30 pm at Seneca Hill Public School. In that spirit of co-operation, I trust that meaningful solutions will be found to address their concerns. I trust as well that the ministry and the minister share this optimism.

HAMILTON AIRPORT

Mr Brad Clark (Stoney Creek): It is with great pleasure that I take this opportunity to speak about an airport in my riding of Stoney Creek that is finally making its mark as an affordable and convenient alternative to Pearson International.

In 1969, the John C. Munro Hamilton International Airport, as it was recently renamed, obtained authority for a Hamilton-to-Montreal and a Hamilton-to-Pittsburgh service. Since then, the airport has been growing, especially in recent years, where the number of passengers who are making the choice to use Hamilton International over Toronto International are increasing not by the hundreds but by the thousands. The month of August alone has shown an increase in passengers from 17,086 to a whopping 32,825 passengers. That's in one month alone. That's an increase of nearly double the number of passengers.

These facts lead to excellent growth potential and employment-generating ability. I'm very happy to say that Hamilton's airport has grown so much in so little time, especially in the past few years. Passengers now know that Ontario's Golden Horseshoe has more than one choice for an airport. I encourage others to take the opportunity to use John C. Munro Hamilton International Airport.

INTERCOUNTRY ADOPTION

Mr Joseph Cordiano (York South-Weston): Today I rise and call on the government to pass my private member's legislation with regard to intercountry adoption. My bill would revoke the \$925 head tax. I call on those members who didn't support it in passing second reading to pass it in its final reading.

There is no justification for this head tax. There is no additional paperwork involved for the government. After all, these adoptions are finalized in a foreign country. Agencies that facilitate these adoptions pay annual licensing fees to the government and cover all additional costs. It just doesn't add up; it makes no sense.

Worst of all, it is discriminatory. Other jurisdictions support intercountry adoptions. The US offers tax credits of up to \$5,000, while Quebec offers non-refundable tax credits. In Ontario, we should be encouraging family formations, not discouraging them with a \$925 head tax.

Today we mourn the loss of the greatest Prime Minister this country has ever known, Pierre Elliott Trudeau.

Why not honour his passing by recognizing his legacy of welcoming people from around the world to live in this country? Why not do the right thing today? Stand up and pass my bill. Revoke the awful head tax that we've imposed and welcome orphans to this country that we all love and believe is the greatest in the world.

1340

PLAYGROUND EQUIPMENT

Mr Rosario Marchese (Trinity-Spadina): My statement is on the matter of school playgrounds. I happen to be one who believes that children ought to have the right to safe playgrounds. I also happen to believe that the minister thinks so too; she certainly speaks that way. You know that the school board last week made a commitment of \$3 million to construct the playgrounds and they need \$9 million more. Parents are talking about fundraising to build these playgrounds. They only need \$9 million more, and I am looking to you, the government and the Minister of Education, to help the Toronto board out.

You also know, Minister and government, that you were the ones who brought in upgraded safety standards for daycare centres, so if you want to blame the Toronto board for having brought down these playgrounds, you ought to take some responsibility yourselves for having brought in upgraded safety standards, which I support. While you think that \$9 million may be a lot of money, compared to the \$180 million you spend on propaganda, it's a crumb. Compared to the five billion bucks you're going to give away to the corporate sector over the next five years, \$9 million for safe playgrounds is a crumb.

So Minister, don't blame anybody. If you believe in safe playgrounds, put in the money to make it happen.

REENA ELDERHOME

Mrs Tina R. Molinari (Thornhill): It's an honour for me to rise today in this House to tell you about the Al and Faye Mintz Reena ElderHome that is located in my riding of Thornhill. I had the privilege to participate in their official opening on Tuesday, September 26.

The Reena ElderHome is named in honour of Al and Faye Mintz, who are long-time generous supporters of Reena. Together with members of their family the Mintzes have an ongoing commitment to support Reena's efforts to enhance the lives of people who have a developmental disability.

This elder home is the first of its kind in Canada and is home to 16 Reena clients, aged 55 and older, who are developmentally disabled. This elder home will fill an immediate and increasingly important void in our community. It will allow the clients to relate to and socialize with their contemporaries, as well as helping older Reena clients to full integrate into the community. Every Ontarian with a development disability should have the opportunity to be part of his or her community and to be able to live near his or her friends and family.

A project such as this cannot get off the ground without the total dedication of those involved. I would like to take this opportunity to recognize all of those involved in the Reena ElderHome project. On behalf of the people of Thornhill, I would like to congratulate the Reena ElderHome clients and volunteers and ask that all the members join me in recognizing three of the people responsible for this project who are with us today in the members' gallery: Sandy Keshen, the executive director of Reena; Alex Eisen, chair of the Reena ElderHome project; and Harold Seidel, chair of the building committee.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): "My name is Fred, I'm 86 years old. I was born on a farm outside Webbwood. As a young man I worked in the bush and on the farm.

"I met and married Mary about 60 years ago. I was lucky. I got a job at the paper mill. I worked hard. We bought a home in Espanola. We raised a family in Espanola.

"But now my health is failing. Mary can't look after me any more. I have to go to a nursing home, but there are no beds in Espanola; there is a long, long waiting list. The hospital applied for 24 beds; the Minister of Health rejected them.

"They want to send me to Sudbury but Mary doesn't drive. My son is in British Columbia; my daughter is in New Brunswick; the youngest is in Windsor. I don't know anybody in Sudbury; I want to stay in Espanola. My wife can't even visit me in Sudbury."

Minister, Fred is not a real person, but he represents many of my constituents. I know of these situations. There are real people in this real situation. The Ministry of Health has to provide long-term-care beds for Espanola and they have to approve them now.

PIERRE ELLIOTT TRUDEAU

Mr Bart Maves (Niagara Falls): I'd like to thank CFRB Radio for broadcasting the funeral of Pierre Elliott Trudeau this morning. I decided this morning, after getting home very late last night, to stay home with my kids and miss caucus. I don't like to do that because you don't like to let your caucus colleagues down. But I left at 11 o'clock and I began the drive to Queen's Park and listened to CFRB's broadcast of Mr Trudeau's funeral.

I don't share a lot of Mr Trudeau's politics over the years, but I remember as a kid respecting him very much in watching him as a father as he spent a lot of time with his kids. As I drove along listening to his son Justin's eulogy, I admit that I cried like a baby, but it confirmed to me my decision to stay home this morning with my kids.

I want to congratulate his son, Justin Trudeau, for his beautiful eulogy today. I want to congratulate Pierre Elliott Trudeau for many of the contributions he made to

Canada, not all of which I share. I want to congratulate him most of all for finding a balance. Those of us in public life strive very hard and it's a great difficulty for us to find a balance between family and work. I think, listening to his son today, he was a man who achieved that balance very well. For that I thank him, and I thank CFRB.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

Ms Marilyn Mushinski (Scarborough Centre): I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication / *Projet de loi 88, Loi visant à promouvoir l'utilisation des technologies de l'information dans les opérations commerciales et autres en éliminant les incertitudes juridiques et les obstacles législatifs qui ont une incidence sur les communications électroniques.*

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

Mr Rosario Marchese (Trinity-Spadina): On a point of order, Mr Speaker: I rise to seek unanimous consent from this House to declare Thursday, October 5, World Teachers Day in Ontario and for this day to be declared annually.

I would ask for your indulgence, Speaker, to just say that teachers play a vital role in the lives of our children, which I'm assuming everybody agrees with. Every day they are faced with more challenges, and I think people agree with that as well. I ask that all members of this House recognize that teachers help to shape the future and deserve to be commended for their efforts, and for that I hope I get unanimous consent.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: Over the past few days most members of this Legislature have been visited by members of the agricultural community. Yesterday I tabled a motion in the House regarding the extremely urgent matter of the agricultural crisis facing the farmers of Ontario.

This afternoon I seek unanimous support of this House to debate that motion.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

from OPG or are you going to compel them to convert all plants to gas-fired fuel?

Hon Mr Newman: The moratorium that we placed on the sale of the coal-fired facilities within this province is one important step to improving air quality in our province. It's amongst many measures that we're taking as a government to be proactive in protecting the air that we all breathe because we are dedicated to ensuring that Ontarians have clean air in this province.

Our government is a leader in reducing smog. We are aggressively tackling air quality issues, including climate change, smog and transboundary air pollution. I think it's important to note that 50% of Ontario's smog arises from United States sources. We have made commitments to reduce smog in Ontario that would be matched by US efforts. In fact, under our anti-smog action plan, Ontario has committed to reducing smog-causing emissions by 45% by 2015 and has committed to an interim target to reduce these emissions by 25% of 1990 levels by the year 2005.

Mr Bradley: This exercise is like trying to nail Jell-O to a wall, because the minister is simply not giving a clear answer to a very clear question. Now, as negotiations on a potential transboundary air pollution agreement between Canada and the United States reach a very critical stage, Ontario, rather than being an asset as it has in years gone by, is proving to be an embarrassing liability, an impediment to such a trans-boundary agreement. If the minister believes that the announcement made by OPG two weeks ago to tinker with Ontario's power generating plants will be greeted with anything less than deep disappointment and derision, he is sadly mistaken.

Ontario has a chance to play a lead role, a positive role in these important and critical negotiations. But it will take a bold step, not a feeble trial balloon by OPG, to do so. Minister, will you take that bold step? Will you commit in this House today to convert all of Ontario's coal-fired electric generating stations to natural gas fuel and thereby provide the leading role, the positive role and the constructive role in the critical negotiations taking place between Canada and the United States?

Hon Mr Newman: We have taken a bold step with respect to improving air quality in our province and with respect to the negotiations on the ozone annex with the United States. I would challenge him to challenge the federal government to take the bold action that we're taking here in Ontario, because we challenged the federal government to negotiate equivalent reductions with the United States through the Canada-US ozone annex talks this fall. The United States has committed only to narrow, industry-focused reductions during the smog season. They must go beyond that. I would encourage him to talk to his federal cousins in Ottawa to ask them to take some real action with the United States.

WASTE MANAGEMENT

Mr Gilles Bisson (Timmins-James Bay): My question is for the Minister of the Environment. On Sunday, along with over 1,000 other people, I attended a rally in opposition to the Adams mine project just outside of Kirkland Lake. What was clear to see at this rally was the diversity of individuals, people from different cultural and socio-economic backgrounds, all opposed to the Adams mine project. Minister, they are single-minded in their view of this project. They believe strongly that this project will in time contaminate the groundwater, in turn putting the environment and people at risk.

Those in attendance wanted me to ask you, is it going to take another Walkerton, another disaster like Walkerton, one which you created, before you come to your senses and say no to the Adams mine project?

Hon Dan Newman (Minister of the Environment): I want to say to the member opposite that waste management is a growing global problem. It's a very emotional issue, as we have seen. But I want to assure you that this government takes very seriously its responsibility to preserve and protect the environment. In fact, the Adams mine project has undergone extensive and thorough technical analysis to ensure that the environment has indeed been protected over the long term.

As part of our commitment to protecting the environment, the Ministry of the Environment ensured that a full environmental assessment was completed in accordance with the Environmental Assessment Act, and the Minister of the Environment requested that the Environmental Assessment Board review the leachate collection and containment system to ensure that groundwater contamination would be prevented. There were hearings with the Environmental Assessment Board that lasted six months. The board actually attached 26 conditions to the plan. A certificate of approval was issued after further technical analysis, and the certificate—

The Speaker (Hon Gary Carr): Sorry. The minister's time is up. Supplementary?

Mr Bisson: What a sham. Everybody knows your government did everything it could to get this project on line and approved. You changed the Environmental Assessment Act in order to truncate the process so that there wouldn't be a full-blown EA to take a look at all the issues. You gave the Environmental Assessment Board 15 days to look at this project—15 measly days—and at the end of it they were in a split decision.

My question to you is simply, are you the Minister of the Environment or against the environment?

Hon Mr Newman: I take very seriously my responsibilities as Minister of the Environment for Ontario. Again, on this project a full environmental assessment took place and Environmental Assessment Board hearings took place. There was a judicial review of the decision. As well, an appeal of the judicial review was filed. This project has undergone the reviews that are necessary. Any question that the opposition has raised in this House or outside the Legislative Assembly has been

answered. In fact, all the concerns they raised were addressed in that full environmental assessment.

Mr Bisson: You haven't answered anything. We've asked questions in this House, along with the citizens around Kirkland Lake and all the other people across northeastern Ontario and, I would add, Metro, which is opposed to this project not only based on environmental issues but also on socio-economic issues. I asked you a while ago, are you the Minister of the Environment or against the environment? You gave no answer. My question to you now is, are you Mike Harris's lackey on this project?

Hon Mr Newman: I don't think this government needs to be lectured by the NDP when it comes to protection of the environment. We all know about the NDP's lack of commitment to the environment. Their waste management included such environmentally responsible projects as Whitevale, Britannia and the expansion of Keele Valley. Need I remind the member opposite that Whitevale is only nine kilometres from the highly sensitive Rouge River area, that Britannia is only one mile from the Credit River and that the Keele Valley site is on the Oak Ridges moraine?

The Speaker: New question, the member for Timmins-James Bay.

Mr Bisson: Obviously the lackey of the Premier. We can see that in that answer.

SERVICES EN FRANÇAIS

FRENCH-LANGUAGE SERVICES

M. Gilles Bisson (Timmins-Baie James) : J'ai une question ici pour le ministre du Développement du Nord et des Mines. Comme le sait le ministre, l'été passé, le 4 juillet pour être exact, j'ai écrit une lettre au ministre, lui expliquant que le ministère est en train d'engager des chefs d'équipe régionaux dans le développement économique à travers le ministère du Développement du Nord et des Mines. Dans ce temps-là j'ai démontré que, quand vous avez affiché la position, vous n'avez pas demandé qu'un postulant qui vient dans cette région, désignée sous la Loi 8, parle le français. Vous m'avez réécrit une lettre, monsieur le ministre, puis votre réponse une journée en 2000 dans la province de l'Ontario dit—il faut la lire en anglais parce que c'est en anglais. Donc quand je vous avais demandé, vous avez écrit :

"With respect to the area team manager position, supervisory positions are not necessarily designated because the language of administration in the Ontario public service is English."

Monsieur le Président, il y a la Loi 8, et la Loi 8 est très claire. Elle dit que vous avez une responsabilité dans votre ministère à travers cette loi pour assurer que les services soient faits en français. Allez-vous, à cette heure que cette position n'a pas encore été remplie, faire la bonne affaire de vous assurer que quelqu'un de bilingue soit mis en place dans cette position dans une région désignée sous la Loi 8 à travers Timmins-James Bay ?

Hon Tim Hudak (Minister of Northern Development and Mines): I thank the member opposite for the question, and I appreciate his correspondence and our conversations through my office on this issue. The Ministry of Northern Development and Mines makes every effort to ensure we can provide high-quality services in both French and English, especially, as the member brings across the point, where there are high francophone populations. We make every effort to ensure that our staff can provide those services, and designate positions where appropriate.

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At the end of the day, we want to ensure that the questions of northerners are answered, that we can help advance issues like job creation in northern Ontario and that we can help address issues like health care and education and refer them to this. We don't want to leave a position vacant. We want to ensure that those questions in northern Ontario get answered in this House, but we want to make sure we can provide the best-quality francophone services possible throughout northern Ontario.

M. Bisson : On peut s'assurer que ce qui est vacant dans ce cabinet, c'est quelqu'un qui parle pour les francophones de la province de l'Ontario. Monsieur le ministre, ce n'est pas acceptable. Dans ma région seulement à Timmins-Baie James, 70 % de ceux qui vont être desservis par ce gérant parlent le français et un gros pourcentage d'entre eux ne parlent pas l'anglais. Ce gérant va être responsable non seulement de gérer ce qui est dans son ministère mais de faire l'interaction avec la communauté de Hearst, de Kapuskasing, de Smooth Rock Falls, de Val Rita, d'Opatatika, de Timmins et d'autres communautés où les personnes parlent le français.

Vous n'avez pas encore rempli ce poste, et je vous demande très sérieusement : allez-vous intervenir et assurer que la personne qui rentre dans cette position soit quelqu'un qui parle l'anglais comme le français ? Répondez.

Hon Mr Hudak: Again, I appreciate the member's point. In fact, as Minister of Northern Development and Mines, I've enjoyed getting input from not only this member but AFMO as well on how to deliver francophone services across northern Ontario, whether it's in the member's riding or in other parts of the north. We make every effort to ensure that the staff at northern development and mines can provide francophone services where appropriate. We make every effort to ensure that services are provided so that issues can be addressed, whether they're in Timmins-James Bay or other parts of northern Ontario. I appreciate the member's points on it, and we'll make every effort to respond to the issue of providing proper francophone services in the Timmins-James Bay area.

ONTARIO TRILLIUM FOUNDATION

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of Culture. The chair of the Trillium Foundation, Robert Power, wrote to 3,200 members of Trillium's local grant review team asking them to donate money to the provincial Conservatives. This same Mr Power, by the way, has woven a tangled web with his involvement in the Adams mine proposal. He acted as legal counsel for the company and also rewrote the Environmental Assessment Act for the MOE. So he acted for the government and the private development.

Mr Power, as head of the Trillium Foundation, used the private contact list to solicit donations for the Conservative Party. You must agree that is unethical and a blatant abuse of his position.

Minister, what action have you taken in regard to Mr Power for his inappropriate action, and what steps are you going to take to return the political contributions solicited so inappropriately?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me just correct the record: it was 320, not 3,200; and let me say that Mr Power wrote a letter on his own personal letterhead in his capacity as a private member. There is no question that this was certainly not appropriately done. It was an error in judgment, I think, and from that point I talked to the board; I asked the board to look at that policy. The governing committee of the Trillium board reviewed the policy, and they have made changes to their government relations policy. It has completely satisfied the board, and I'm confident this will never happen again.

Ms Di Cocco: The point is, it did happen. This is about someone's behaviour. You can write all the policy you want and it could be circumvented by whoever wishes to behave in that fashion. You have the head of the Trillium Foundation soliciting political funds—and I don't care if it's from two people, 320 or 3,200—from a list of names on the Trillium review team. This begs the question, do the donations give weight to their recommendations to Trillium on behalf of the charities and non-profit groups?

I believe you should ask Mr Power to resign over this. What have you done with respect to Mr Power? The political funds that have been inappropriately solicited should be returned. What have you done with regard to Mr Power?

Hon Mrs Johns: Let me say that I reacted quickly. This event happened in May last year, and I reacted quickly to it. We asked the government policy committee at Trillium to review the policy. As everyone in this House knows, Trillium is a new organization in the province. It's there to make sure we have invested money.

When I had people go out this summer and speak to MPPs to ensure the foundation was doing a good job, I heard many wonderful things about the foundation, obviously from the opposition as well as from our own

members. They heard that it had returned many great projects. They were glad to see the extent of the Ontario Trillium Foundation grants. They heard positive things about it.

This may have been an error in judgment. It's resolved. The Trillium Foundation has policies in place so that it will never happen again. I have contacted every organization that is an agency of mine to make sure this will never happen in any agency.

SMALL BUSINESS

Mr Garfield Dunlop (Simcoe North): My question is to the Minister of Economic Development and Trade. As a former businessman, the husband of a successful businesswoman and the father and brother of a number of business people, I understand what a vital role the provincial government plays in the life of an entrepreneur. I also recognize the significant contribution that small business makes to our province, not only in the contribution they make to our economy but also in the number of jobs they create, which I believe is most of the 745,000 jobs we have seen created in this province since 1995.

My question to you is, what is your ministry doing to recognize the importance of small business people in our province?

Hon Al Palladini (Minister of Economic Development and Trade): I could not agree more that small business operators make a tremendous contribution to job creation and to the success of Ontario's economy. We want to give credit where credit is due, which is why I'm pleased to say that October is Salute to Small Business Month.

This morning my colleague the Minister of Northern Development and Mines and I attended Level 5 fitness centre to launch Salute to Small Business Month. It's small business operators like Sandra Ricciuti and George Shaker who are the unsung heroes of Ontario's economy. I'm very pleased to publicly acknowledge their success, because small business is big business in Ontario.

Mr Dunlop: I understand how challenging it can be to make the dream of owning your own business a reality: working 18 to 20 hours a day, giving up valuable holidays, taking risks, worry, stress, barriers of bureaucratic red tape—

Interjection: What about farmers?

Mr Dunlop: Yes, we do include farmers as small business people in this province.

There are so many steps one must take in transforming an idea into a valuable business. What is our government doing to help our small businesses succeed in this province?

Interjections.

Hon Mr Palladini: It was very nice to see the members of the opposition applaud so gallantly. It was really good to see, because that was a great question.

I can tell the honourable member that our government has done many things to help small business succeed. If there is one thing I could say, and share with honourable members, it's the fact we have created a positive economic environment so businesses can prosper. Since our government took office in 1995, we have reduced red tape, cut personal income tax and payroll tax, but also very important, eliminated barriers to growth, contrary to the previous two regimes.

We have also expanded the small business help offices and small business enterprise centres across Ontario. I can tell from my experience that it doesn't just take government help to succeed. Hard work and smart work will ensure successes.

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HIGHWAY SAFETY

Mr Pat Hoy (Chatham-Kent Essex): My question is to the Minister of Transportation. Over the past year and a half there has been an over 1,500% increase in fatalities on the treacherous highway between London and Windsor that includes Carnage Alley. Almost 35 deaths have occurred, yet your government has consistently taken the low road. Since the tragedy began, it has always been too little too late. On September 22, you announced a centre medium barrier only as far as Tilbury. Carnage Alley, which is located on the other side of Tilbury, has been the focus of North American notoriety for the past year as the highway of death.

Minister, public safety is far less important to you than public opinion. Don't insult this House by saying you are responding to the jury recommendations. Mike Harris refused to even consider the number one recommendation, photo radar. It would be an immediate solution. Most of the fatalities and crossovers have occurred beyond Tilbury. If it is necessary there, it is essential all the way to London. Is human life worth so little to you and your government?

Hon David Turnbull (Minister of Transportation): That sounded a lot more like a rant than a question. This is a politician who wants to make politics out of human tragedy. Our government—

Interjections.

The Speaker (Hon Gary Carr): Order. The minister take his seat. Stop the clock.

Mr Hoy: On a point of order, Mr Speaker: The minister is imputing motive and I'm talking about safety on our highways.

The Speaker: No, he's not. Minister, continue.

Hon Mr Turnbull: Our government is spending record amounts of money on upgrading our highways and making them safer highways. Since we became the government, our highways in Ontario have become safer than under your watch—let's be very clear about this—significantly safer.

Interjections.

The Speaker: The minister take his seat. We're not going to continue if I can't hear. The member who asked

the question, the member for Chatham-Kent Essex, come to order, please. Minister of Transportation.

Hon Mr Turnbull: Our government considered the recommendations of the coroner's jury and concluded that we would move forward in our plans the median barrier on that section of the road. It is a narrower median strip than the portion of road that you were speaking about; let's be very clear about this. There is no evidence that it would —

The Speaker: The minister's time is up. Supplementary.

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): My question is to the same minister and it's about public safety on our roads. In my riding there are currently six overpasses that need repairs. These overpasses are in terrible shape and the municipality has no choice but to limit loads on these overpasses. In their current condition, the bridges are significant road hazards, with one lane of traffic at a time. An accident will happen. At a meeting of the South Dundas Chamber of Commerce a few weeks ago, the business community said that this is devastating. The load limits also force vehicles to take alternative routes. The alternative routes cost precious time and could be the difference between life or death.

Minister, this isn't just about bridges, it's about people's lives. What are you going to do on the down-loading that you did in the province and fixing these overpasses and agreeing to financial assistance immediately?

Hon Mr Turnbull: We have clearly signalled to the municipalities, with the announcement for the OSTAR initiative, that in fact our priority is to ensure that OSTAR funds will be available for issues of health and safety. Our government has acted. Let's be very clear. We are spending more money on our highways than your government ever did; let's be just absolutely abundantly clear.

With respect to the changes in municipal responsibility, I have responded that the OSTAR initiative recognizes the importance of funding bridges, and to date we have moved forward with initiatives which will significantly improve all of our infrastructure in this province, something that your government failed to do. Even though you raised taxes, you did not spend money on the—

The Speaker: The minister's time is up. Minister, take a seat. Time is up.

New question.

NIAGARA FALLS

Mr Bart Maves (Niagara Falls): My question is for the Minister of Tourism. Niagara Falls is one of the world's greatest tourism destinations, attracting more than 12 million visitors annually. It is often reported, however, that the average stay in Niagara Falls is only four hours.

As member of provincial Parliament, I have worked hard with the minister and local tourism operators to support jobs in Niagara Falls in tourism and try to move the stay from four hours to four days. There has been tremendous marketing support for events such as the Niagara Grape and Wine Festival, just completed, the Niagara Classic and the Winter Festival of Lights.

What is the minister doing to ensure that Niagara Falls can benefit from more visitors who will stay longer, and will there be new investments made by him in Niagara?

Hon Cameron Jackson (Minister of Tourism): I'd like to thank the member for his important question and thank him publicly for the kind of work he has been doing to promote tourism development in the Niagara Peninsula.

It's true that one of the problems is the length of stay of tourists in some parts of the province. In fact, three quarters of the 12 million people who visit Niagara Falls every year spend less than half a day in Niagara Falls. In response to that, the government has developed a new program, a tourism investment and development office, which is working closely with municipalities and economic development offices across the province to look at ways of strengthening their programs and encouraging people to stay longer.

Interjections.

Hon Mr Jackson: I realize the members opposite aren't really interested in economic development in their communities, but I can assure the member from Windsor that we'll be there to support his community even though you are not interested in these tourism matters.

We are doing new vineyard programs, new—

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Mr Maves: I'm encouraged that the government is continuing to take action on this problem and is helping the tourism industry to reach its potential in Niagara. As you know, tourism is essential in Niagara Falls, accounting for thousands and thousands of jobs.

However, Minister, I want you to realize that my constituents want to know that this industry is on solid ground. Can the minister ensure that the partnership that has been underway between government and the private sector will continue into the future?

Hon Mr Jackson: I can assure the member, because the recent budget clearly indicated increased dollars for marketing and for product development for tourism. This is the fastest-growing industry in the world and there are currently about 120,000 businesses and half a million Ontarians who rely on tourism for their jobs. That's why with our approach to cutting taxes and increasing jobs in this province, we've created a climate for greater investment.

In Niagara in particular, we're seeing the largest concentration of tourism investment in Ontario's history. Just recently we've seen new winery expansions and have engaged Frank Gehry, a world-class architect, to do his first major building in Ontario. Senator Eyton is developing a corporate approach to bringing in the first

NASCAR oval track in Canada. We're looking at lots of new investments that are going to strengthen our economy.

I want to thank publicly the member for Niagara Falls, who has been working closely with our ministry on these expansion plans.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Tony Martin (Sault Ste Marie): My question is for the Minister of Citizenship, Culture and Recreation, with responsibility for seniors and women. Minister, why won't you table, this session, an Ontarians with Disabilities Act?

There are pay phones in this building that the disabled cannot access. There are heavy doors that slam in their faces almost every time they turn around. Now we find that the Ontario Human Rights Commission has slammed Famous Players theatres and told them to remove the barriers that deny people with disabilities the simple right to watch a movie. But your government's no better.

Why don't you introduce the Ontarians with Disabilities Act and let people with disabilities have it guaranteed in law that they will have access to the services and opportunities they deserve in this province?

1430

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): This government is working to make Ontario the best place to work, live and raise their families, and that's no exception when we talk about people with disabilities.

The government promised they would bring forward an action plan within the first session of the Legislature. We intend to do that. We've promised in an opposition day that we would have legislation forward by November 2001. That legislation will be fair and it will be reasonable, not only for people with disabilities but also for people who need to accommodate those people, who want to accommodate those people, so that we can make sure that people with disabilities are able to be accommodated in the province of Ontario.

As everyone in the House will know, we have moved forward with people with disabilities, but there's a lot of work that needs to be done. We intend to move the benchmark forward to make sure that people with disabilities have opportunities—

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Mr Martin: Minister, if you're really serious about what you just said, if you really meant what you just said, you just simply table that legislation this session and give some comfort to the people with disabilities out there that you actually are going to do something. If you brought that bill in before the House now, people living with disabilities would be able to attend a movie at a Famous Players theatre by Christmas, just like everyone else; people would be able to use pay phones, just like every-

one else. One single piece of legislation could literally open doors to thousands of people living with disabilities.

Will you stop making excuses and commit to table an Ontarians with Disabilities Act this session?

Hon Mrs Johns: There are a number of things I'm doing to move the legislation and the action plan forward. All of this of course takes time because this is a complex area. Of course, everyone in the House would know that the legislation in America is a federal statute, the Americans with Disabilities Act. Certainly the federal government in Canada hasn't looked yet to say that they'd be moving forward with that. We've looked at the legislation in many of the states across America because, as everyone in this House knows, there's no legislation at all across any of the provinces. Ontario will be the leader when it comes forward with its first piece of legislation and its action plan.

Let me remind you that in Ontario we spend \$6 billion annually on services for people with disabilities. That's an increase of over \$800 million since this government was elected in 1995: \$6 billion—

The Speaker: The minister's time is up. New question.

PUBLIC HOUSING

Mr David Caplan (Don Valley East): A question to the Minister of Municipal Affairs and Housing. Lately you've had a lot to say both in the press and in correspondence to municipalities about the social housing the province currently owns. You've been quite clear in your views that you believe the housing stock is in perhaps better shape than privately managed rental properties.

What I'd like to know is how you know that. You cite a 1998 sampling of 10% of the housing stock as proof that your owned housing group is in good shape. But what's interesting to me is that in a submission to cabinet, your own staff have said that this process could have easily missed hidden problems and liabilities.

My question to you is simple. If your own staff in their own documents confirmed that you don't know the real condition, how can municipalities and, more importantly, municipal ratepayers feel assured that you are not transferring a bundle of hidden costs, hidden problems and explosive future costs?

Just be honest, Minister, and say you don't know. And while you're at it, why don't you admit to the municipalities that the reason you don't want to find out is that you don't want to spend—

The Speaker (Hon Gary Carr): The member's time is up. Minister.

Hon Tony Clement (Minister of Municipal Affairs and Housing): I thank the honourable member for the question, and I'm sure he doesn't want to leave the impression that there's a problem that doesn't exist. I'm sure that was not his intention.

In fact, we have looked at this issue quite extensively. There have been not one but two studies done by outside

parties, third parties, to look at the stock of public housing that the municipalities are already paying for. We are merely transferring the authority to look after these and administer these in a more efficient and safe way than is possible when things are divided between municipalities and the province in the way that has been done in the past. So from our perspective, we have done the studies.

The problem with his allegation of hidden problems is that it's difficult to know what a problem is if it's hidden. If the honourable member has any information that he'd like to share with me rather than allegations, I'd be happy to research it and get back to him, but in terms of hidden problems, I know of no such hidden problems.

Mr Caplan: It is frankly amazing that the minister doesn't read the reports from his own ministry. Let me read to you the cabinet submission. Here it says, "There could be hidden problems and liabilities that exist on individual properties that were not identified." It went on to say, "The province may be exposed to greater liability risk if the building condition for the remaining 90% of the portfolio is not assessed." They finally add that to do no further study would be "the least costly in the short term but the most costly in the long term."

Minister, get your head out of the sand. It is absolutely incredible. Stand in your place today and tell municipalities and ratepayers that you're going to do a complete assessment of all the housing stock. If you won't do that, tell them that you're going to pay the bills for the mess created by the ticking time bomb that you're passing on to municipalities. Will you stand in your place and do that today?

Hon Mr Clement: Again, let me reiterate that this is a situation where we have done exhaustive studies, third party studies, independent studies. You don't have to take my word for it; you don't have to take my ministry's word for it. Independent studies have been done, and they have concluded that the shape the housing stock is in is as good as or better than the typical private housing stock that one finds in the province of Ontario.

If the honourable member has other facts—I don't know what you're talking about. You're holding up a piece of paper.

Mr Speaker, I don't know what he's talking about. If the honourable member has real facts rather than baseless allegations, real instances rather than figments of his imagination, he should share them with me and I'll get to the bottom of it. But until he does that, he's talking out of both sides of his mouth.

HIGHWAY IMPROVEMENT

Mr Gerry Martiniuk (Cambridge): I'd like to direct my question to the Minister of Transportation. As you know, we in Cambridge, North Dumfries and South Kitchener have a number of successful businesses, including the Toyota manufacturing plant, and they all depend upon trade corridors, being the 401. In addition, many of my constituents have indicated their concern

with the increasing congestion on the 401 adjacent to Cambridge. I would like to ask the minister what upgrades are taking place or will be taking place to the 401 adjacent to Cambridge.

Hon David Turnbull (Minister of Transportation):

The Harris government continues to invest massively in our highway structure. We are investing in safe roads to support jobs and growth in this economy. I'm very pleased to tell the member that MTO recently awarded an \$11.2-million project to widen the 4.5-kilometre stretch of Highway 401 to six lanes from Homer Watson Boulevard easterly to Regional Road 8. This work will include paved highway shoulders, tall wall median barriers, structural repairs to the King Street overpass, and interchange ramp realignment at Homer Watson Boulevard and King Street. This is, in fact, part of the five-year, \$20-billion SuperBuild initiative.

We are determined that in order to continue to do well in the global economy, we will continue to build good roads, which are roads to prosperity.

Mr Martiniuk: As you know, trade corridors are important not only to Cambridge but to all communities in Ontario. Our economy relies upon these trade corridors between Ontario jurisdictions and the United States. What are you doing to ensure our trade corridors are viable now and in future?

Hon Mr Turnbull: We are committed to ensuring that future infrastructure needs are met. We have announced recently quite a few planning initiatives: the Niagara needs assessment, which will potentially include the widening of the QEW or the new mid-peninsula corridor and other alternatives; the Simcoe needs assessment, which will address the needs of the Barrie-Simcoe area and connecting to southern Georgian Bay; and the Highway 427 needs assessment. We're working with our municipal partners with respect to southern Georgian Bay and additional capacity to the Collingwood area.

This is all part of our billion-dollar budget, the highest highway capital budget in provincial history. We are determined to continue through the SuperBuild initiative to build these roads to prosperity.

1440

CONSTRUCTION INDUSTRY INDUSTRIE DE LA CONSTRUCTION

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): My question was to be to the Minister of Intergovernmental Affairs, but since he's not in the House today, I will ask the question to the Acting Premier and Chair of Management Board. On May 4, 1999, your government passed Bill 17, An Act respecting Labour Mobility in the Construction Industry. During the last election campaign, your government said to the Ontario construction industry that it had had enough of the unfair practices. You said you wanted a level playing field with Quebec.

Your government spent over \$1 million in billboard advertising, radio, television and newspaper ads. Bill 17, a follow-up of my Bill 60, was very clear: Quebec construction workers and contractors had to register with the Ontario job protection office. If not, they would be subject to a fine of \$5,000 to \$25,000 a day.

Can you tell me what you are doing today to rectify this situation? Again, is this another promise made, another promise kept?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I appreciate the question from the member opposite. As he's aware, this has been a long-standing grievance between the province of Quebec and the province of Ontario. It's an issue that all governments of all parties have talked about. Finally we've had a government and a Premier with the courage to stand up and say that this has to stop. If you have specific examples of where this agreement is not being lived up to, by all means share it with us in writing and we'll take action, unlike what your party did in the past.

Mr Lalonde: This is caca de taureau. On November 12 last year, your government decided to shelve Bill 17 and sign a new agreement with Quebec. You now allow Quebec construction workers and contractors to work anywhere in Ontario without having to register with the Ontario job protection office, without paying any fee, and we Ontarians have to continue paying thousands of dollars to work in Quebec.

On November 12, the Minister of Labour said that the Hull casino site would be open to Ontario contractors. But not one Ontario contractor has been accepted, even though at times they were the lowest bidders. During the negotiations, your Minister of Labour called me several times. I asked him to insist during the negotiations with Quebec that since your government has not enforced Bill 17, all fines received by our Ontario contractors be cancelled. On November 11, your Minister of Labour called me back and he said, "Jean-Marc, we have a deal."

Monsieur le ministre, je ne sais pas quel genre d'entente votre gouvernement a conclue et a signée le 12 novembre dernier. Depuis cette signature, 164 contraventions ont été émises par la CCQ à nos travailleurs ontariens. Votre gouvernement a induit le public dans l'erreur. Votre gouvernement a menti aux travailleurs de la construction de l'Ontario.

Minister, your government has misled—

The Speaker (Hon Gary Carr): Order. The member's time is up.

Stop the clock. I would ask the member to withdraw that.

Mr Lalonde: I think this government should apologize to Ontario construction workers. I will stand by my construction workers. I am not going to withdraw my words.

The Speaker: I have no alternative than to name the member and ask Mr Lalonde to please withdraw from the chamber.

Mr Lalonde: I cannot withdraw it. I am standing by my words.

The Speaker: I've already named you.

Mr Lalonde was escorted from the chamber.

VIOLENCE IN FILMS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is for the Minister of Consumer and Commercial Relations. In the past few days we have seen quite a lot of coverage out of the United States regarding the level of explicit violence in movies. Movie executives have openly admitted that they focus-test violent movies before children as young as nine years of age. I share the concern that our young people are being exposed to unnecessary excessive violence in movie theatres and through home videos. Minister, could you explain to the House how our government addresses these problems here at home?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I thank the member for the question. I too share his concern that violence in today's movies is becoming more graphic and more frequent. The problems that United States senators are discussing centre around the lack of any official standards when it comes to film advertising. In the US there's no power of law to enforce rules and regulations on the entertainment industry. The American industry peddles—I think it's fair to say “peddles”—violent films to young people, and there's nobody to stop them from doing so. Movie industry executives are even admitting that they deliberately show movie trailers advertising violent films when children as young as nine will be in the theatre audience.

In Ontario, the Ontario Film Review Board is addressing these concerns through the review, classification and approval of films and film advertising intended for public exhibition and distribution, and the board decides which films can be viewed by which audience and where advertising is aimed.

Mr Gill: I'm pleased to hear that the OFRB, the Ontario Film Review Board, is in place to view and classify all films and advertising materials that are to be shown publicly in Ontario.

Minister, could you also explain to the House how the OFRB informs consumers about the level of violence in films and the impact it may have on our young people?

Hon Mr Runciman: The film review board has many mechanisms in place to ensure that Ontarians are aware of the content of any given film before viewing it. We have a classification system that has four levels ranging from “family” to “restricted.” In Ontario, “restricted” means restricted. In the United States, anyone can go to a restricted movie as long as they are accompanied by an adult. In Ontario, a restricted film is only for those 18 and over. As well, information pieces on movie ratings and classifications have been available in movie theatre lobbies in all Ontario theatres for the last six months. The board is also working with other provincial film boards to develop a country-wide warning and advisory system on videos.

The board and the Ontario government take the issue of violence in films very seriously. We're committed to giving consumers the tools they need to make informed choices about the films and videos they view.

McMICHAEL

CANADIAN ART COLLECTION

Mr Rosario Marchese (Trinity-Spadina): I've got a question for the Minister of Culture. I was reading your Bill 112 and I was looking at section 8. It says the following: “The board shall ensure that the collection reflects the cultural heritage of Canada and is comprised of artworks and objects and related documentary material created by or about,” and it lists the Group of Seven, essentially. The next section, (b), says, “other artists who have been designated by the art advisory committee” comprising M. McMichael and spouse and a couple of other friends. There are no professionals on that board. I'm worried; a whole lot of other people are worried as well. M. McMichael is gearing up to dump 3,000 works of art, which may include the selling off of aboriginal works of art and other Canadian contemporaries—3,000.

Minister, don't you feel perhaps a twinge, a little bad that maybe you are making a serious mistake in defending the Premier's position on this?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me say that the actual piece of legislation says that the art advisory committee will be comprised of five individuals, two being the McMichaels, one being the chair, one being the vice-chair and the fifth being a representative elected by the board. I have complete confidence in all of my boards and I know that the McMichaels, the chair, the vice-chair and the delegate from the board will do a good job in choosing the kind of art that will represent what the McMichael gallery has represented throughout its lifetime. Let me also say I have confidence that as we move through this process—and as Mr Braley, the chair, has said—of course we wouldn't flood the market with works of art. We're looking for ways to find the right artists who will reflect the temperament of Ontario and give us an art gallery we can have for future generations—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

1450

Mr Marchese: The problem is, there are no assurances in this regard. “Comprised of” means just the Group of Seven. The rest—aboriginal works and other contemporaries—have to go somewhere. The minister gives us no assurances about what will happen to those works of art. Will they be dumped on the market, bringing down prices for all artists? We don't know. She doesn't give assurances about what will happen.

There are other problems. Deaccessioning gifts certified by the Ottawa cultural properties review board has tax consequences. If institutions have not held a work for at least 10 years, the original tax break disappears. Has

she thought of that? Have they thought of this? This advisory committee is comprised of five people and has powers beyond the 1965 agreement.

Minister, will you tell the Premier—because I think you ought to—that his obsession should be brought to an end and that Bill 112 should be withdrawn for the benefit of all the contemporary artists who will be affected, for board members you will lose and for those who have donated that you will lose, endangering the McMichael cultural heritage that we have.

Hon Mrs Johns: Let me say that the member opposite has not read the legislation clearly. Nowhere in Bill 112 does it say that only Group of Seven pictures and art will be collected. It says “the Group of Seven plus other designated artists who have made a contribution to the province of Ontario and to Canadian art.”

I certainly can believe there are many aboriginals and natives who have made a contribution to art, and certainly I know the art advisory committee will make the right judgments when it decides on artists for the future.

Let me say that all this came about because this unique situation, this art gallery, is in trouble. It is financially in trouble. Controversy has surrounded this gallery for many years, since 1965. It's time that someone took action to set it on a sound financial footing.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

“Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledges that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel

grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

This is signed by several dozen Toronto-area residents who share the concern about this government's discrimination against northern Ontario residents when it comes to health care. I have affixed my own signature in full agreement.

DIABETES TREATMENT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to rise in the Legislature today. I have a petition directed to the Legislative Assembly of Ontario. It reads as follows:

“We are suggesting that all diabetic supplies as prescribed by an endocrinologist be covered under the Ontario health insurance plan.

“Diabetes costs Canadian taxpayers a bundle. It is the leading cause of hospitalization in Canada. Some people with diabetes simply cannot afford the ongoing expense of managing diabetes. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These budget-saving measures can often have disastrous health care consequences;

“Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes. We think it is in all Ontarians' and the government's best interest to support diabetics with the supplies that each individual needs to obtain the best glucose control possible. As you all know, good control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control.”

I support this petition and affix my signature.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition to the Ontario Legislature is submitted on behalf of the many hard-working volunteers at the northeastern cancer treatment centre, like Bob Roberti and Gary Orasi, and it says:

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I proudly affix my signature to this petition.

Ms Shelley Martel (Nickel Belt): I have a petition signed by a number of constituents from my riding and from Sudbury with respect to this government's discrimination against northern cancer patients, and it reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners, and I'd like to thank Gerry Loughheed Jr and all his volunteers for all their work to gather these petitions.

CARMEN ROAD OVERPASS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I have a petition to the Legislative Assembly of Ontario.

"Whereas the community of south Dundas has a major concern regarding the closure of the Carmen Road overpass. The impact on the business community is devastat-

ing. Our children are at risk by crossing the busy railway at level crossing (14 buses a day). The cost for the closure alone is astronomical and we appeal to the government to find the funding and repair this bridge immediately.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Repair the bridge immediately."

I have affixed my signature and wholeheartedly agree.

1500

CHILD POVERTY

Mr David Christopherson (Hamilton West): I have further petitions forwarded to me by the West Hamilton Interfaith Committee on Child Poverty. The petition reads as follows:

"Whereas the federal government signed the United Nations Convention on the Rights of the Child and passed a resolution to eradicate child poverty by the year 2000; and

"Whereas at the first ministers' meeting in June 1996 the Prime Minister and Premiers made tackling child poverty a collective priority; and

"Whereas Campaign 2000 records the province of Ontario as having the highest increase—116%—in child poverty since Canada's House of Commons vowed unanimously in November 1989 to eliminate child poverty;

"Therefore we, the undersigned, petition the Parliament of Ontario:

"(1) To take immediate steps to eradicate the hunger of poor children by working vigorously with the federal government to reduce the poverty rate among Ontario's children, and

"(2) To follow and implement the recommendations of the Early Years Study, commissioned by the Ontario government in the spring of 1998."

I add my name to those of these petitioners.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have more of the thousands of signatures we have collected in Algoma-Manitoulin.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the northern Ontario cancer care centres have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical location;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

These particular ones are mostly from the north shore of Lake Huron.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario.

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"We, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

I add my name to this petition also.

PHOTO RADAR

Mr Steve Peters (Elgin-Middlesex-London): "Whereas Mike Harris made the decision in 1995 to cancel the Ontario government's photo radar pilot project before it could properly be completed;

"Whereas two Ontario juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of Carnage Alley; and

"Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in British Columbia to a 49% decrease in Victoria, Australia; and

"Whereas photo radar is supported by the RCMP, the Canadian Association of Police Chiefs, police departments, including many local Ontario Provincial Police constables, and the Canadian Automobile Association

and the Ontario Trucking Association and many road safety groups;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets, as identified by police. The top priority should be Carnage Alley, the section of 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving."

I have affixed my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have another petition regarding the Harris government's discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for meals, travel and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which presently exists in the province of Ontario."

I agree with the petitioners. I hope the government does something soon about this issue.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"Whereas the passage of Bill 112 would vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"Whereas the passage of Bill 112 would diminish the authority and responsibility of the board of trustees;

"Whereas the passage of Bill 112 would limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and

"Whereas the passage of Bill 112 would significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have further petitions forwarded to me by Buzz Hargrove, the national president of the CAW. The petitions were put together by CAW local 222 members Cecil Mackasey and Rick Roberts. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals everyday for Canadian workers who died from cancer caused by workplace exposure to cancer causing substances known as carcinogens;

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that 1 million globally have cancer because of exposure at work to carcinogens;

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in work; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

Again, my NDP colleagues and I continue to support these petitioners.

1510

ORDERS OF THE DAY

DOMESTIC VIOLENCE PROTECTION ACT, 2000

LOI DE 2000 SUR LA PROTECTION CONTRE LA VIOLENCE FAMILIALE

Mr Martiniuk, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 117, An Act to better protect victims of domestic violence / Projet de loi 117, Loi visant à mieux protéger les victimes de violence familiale.

Mr Gerry Martiniuk (Cambridge): Today, on behalf of the Attorney General, the Honourable James Flaherty, I proceed with second reading of Bill 117, the Domestic Violence Protection Act, an Act to better protect victims of domestic violence. I will be sharing my available time with my colleagues Joe Tascona, the member for Barrie-Simcoe-Bradford, and my colleague Doug Galt, the member for Northumberland.

Last week Minister Flaherty introduced the Domestic Violence Protection Act. This act is in response to one of the most disturbing and insidious crimes: domestic violence. It is a crime that all of us, as legislators, neighbours, fathers, mothers, and citizens of Ontario, cannot ignore. It is a serious crime that has serious repercussions for our society. Not only is domestic violence a crime against the person abused, it deeply affects children who witness violence in the family. It destabilizes families. In the broadest sense, then, domestic violence is a crime against the foundation of an orderly society: strong families.

When people think about safe communities, they think of being and feeling safe on our streets, in their neighbourhoods and, above all, in their homes. We think, and rightfully so, of our home as a sanctuary where we can sit protected and where we feel safe and secure, yet the disturbing reality is that for some the home can be the unsafest place of all.

As legislators we have the responsibility to help ensure that the residents of this province are as safe as reasonably possible. This is a responsibility this government takes seriously. During the past five years, we have taken a leadership role in taking action to protect and support victims of domestic violence. Some of this work has focused, appropriately, in the justice system. As the minister has stated, and as this government believes, domestic violence is a crime.

We created and expanded the domestic violence court program. It is the largest and most comprehensive of its kind in Canada. We allocated an additional \$8 million annually to ensure that crown attorneys have sufficient time to meet with victims in preparing their case for prosecution. This gives victims a voice in the justice system. To support more victims of domestic violence,

we expanded the victim/witness assistance program and plan to do more. To get victims in touch with the services they need, we expanded the victim crisis assistance and referral program and the SupportLink program. To support families in crisis, we expanded the supervised access program.

I am proud of the actions our government has taken to make our justice system more responsive to the needs of victims of domestic violence. They are very important components that support victims and hold abusers accountable for their actions.

A brief comment on the second part of my sentence: holding abusers accountable. This is a most important goal. That is why we established a partner assault response program, formerly the male batterers' program. Domestic violence is a crime. That is why we prosecute. To minimize the role of the justice system in protecting and supporting victims is irresponsible. While these are important steps, we know that there is more work to be done.

Victims of domestic violence sometimes seek protection through restraining orders. These court orders prescribe and/or prohibit the contact that an alleged abuser can have with the victim. However, we know that restraining orders can be made more effective. Victims of domestic violence need to know they can obtain restraining orders and get them quickly. Victims need to know that restraining orders will be enforced and that charges will be laid appropriately when the order has been breached. Offenders need to know that violation of a restraining order has a serious consequence. Yet, this has not always been the case with the current system.

People representing victims of domestic violence, police and family lawyers, have told us that changes to restraining orders are needed to better protect victims of domestic violence. They've told us there is a delay in getting restraining orders because victims must apply during normal court hours. They've told us that a lot of people can't apply for a restraining order because the current eligibility criteria are too limited. For example, people who have been living together for less than three years cannot get a restraining order unless they're also the parents of a child.

But the most urgent call for changes revolve around the need for better enforcement of restraining orders. Enforcement of violations of restraining orders falls under the Provincial Offences Act. This means that alleged abusers can only be held for 24 hours after violating an order, unless there is a concern that he or she would not appear in court. This may be fine for a minor offence; it is not acceptable for the serious crime of domestic violence.

That is why the Domestic Violence Protection Act, An Act to better protect victims of domestic violence, was introduced. This bill is one more step we are taking to protect victims of domestic violence and hold offenders accountable. We have made that promise in the Blueprint and again in the throne speech, and we are keeping those promises.

The proposed legislation is intended to reform and improve the effectiveness of restraining orders to better protect victims of domestic violence. If passed, this will replace restraining orders with new intervention orders. It would ensure that victims could obtain intervention orders faster and that they would be enforced in an effective, consistent and timely way across this great province.

To underscore the importance of these proposed reforms, this bill would treat the violation of an intervention order as a criminal offence under the Criminal Code rather than a provincial offence. This would mean that those convicted of a violation would have a criminal record. Making the violation of an intervention order a criminal offence sends a strong statement that domestic violence will not be tolerated in Ontario.

The Domestic Violence Protection Act would go a long way to keeping victims of domestic violence and their children safer, and it would help to better protect more victims and their children from that crime.

As I've already indicated, the current eligibility criteria are limited. We propose to broaden coverage and include those who have been excluded from seeking the protection of restraining orders. This means people in dating relationships, current or past; people who have been living together for less than three years; and relatives, such as elderly parents living with an adult child, would be able to obtain an intervention order. We think this is equitable and fair.

The opposition has claimed that this bill is insignificant and provides for small changes. I do not agree. How can any action that protects victims be insignificant? On the contrary, our proposed changes address the limitations of the existing law and would make major changes across the justice system to better serve victims of domestic violence.

1520

Because of the nature of the violence, victims of domestic violence need faster access to intervention orders. This bill would do just that. A Domestic Violence Protection Act would provide clear standards to simplify and speed up the process of getting an intervention order. If the bill passes, victims across the province would be able to obtain an intervention order in all urgent situations any time of the day or night.

During court hours, victims would apply to a court, as they do now. But for emergencies, when the court is not sitting, orders would be available 24 hours a day, seven days a week. Victims could apply through a designated justice of the peace or judge. If the matter is urgent, police could assist victims to communicate with these designated judicial offices.

At the same time, the alleged abuser would be served with the intervention order faster and the police would be alerted about the order sooner. The order would be prepared and signed at the same time the judge granted the order. If the abuser is in the court, the order could be served at the same time. This would make the informa-

tion needed for enforcement available much more quickly on the Canada-wide police information system, or CPIC.

When the police are called to a domestic violence incident, they need all the tools they can get to help protect the victim. Currently, police have signalled a need for changes in two key areas. One is the current content of restraining orders that prohibit the alleged abuser from harassing, molesting or annoying their current or former partner or spouse. At times, interpreting these terms can be subjective. For example, what actions constitute knowing?

Second, the police are sometimes confronted with contradictory court orders. For example, a victim's restraining order may prohibit contact with the alleged abuser, but the same order may also include an exception for child access arrangements. When called to an incident, police are faced with two possible explanations for contact. Lack of clarity in restraining orders makes it more difficult for police to enforce the law.

We have listened to the police, and this bill would provide the clarity they need to better protect victims. If there is a conflict between an emergency order and an existing custody or access order, the emergency order would have priority. It would be clear to the police which order to enforce.

Under the act, intervention orders would ensure that conditions for the alleged abuser would be clear and enforceable. Intervention orders would specifically list prohibited activities for the alleged abuser. This would help victims and the police to readily know if an order has been breached. For example, the order could specify that the alleged abuser should not communicate directly or indirectly with the victim or other specified people and the specific distance an alleged abuser can be from the victim or from particular places such as the victim's workplace or the children's school. Other terms of the order might include:

- Requiring the alleged abuser to vacate the residence. Currently this occurs only if there has been an arrest or if there is an order of the court for exclusive possession of the matrimonial home;

- Requiring that police are present while the alleged abuser removes personal possessions;

- Requiring that the alleged abuser give up possession of firearms and weapons that have been used, or threatened to be used, to commit domestic violence;

- Ordering counselling for the abusive partner to help prevent further violence;

- Ordering counselling for the children, at the alleged abuser's expense, to help them overcome the effects of exposure to the violence;

- Granting exclusive possession of the residence to the victim or exclusive use of certain property such as credit cards and bank accounts;

- Ordering compensation for damage or losses suffered.

These conditions contain a wider range of remedies for victims than is found under the present system. Intervention orders would be tailor-made by courts,

based on each individual situation. Clear and enforceable intervention orders to better protect the victims is one of the key objectives of this bill.

We fully understand and support the wish of victims of domestic violence to be able to stay safely in their homes. After all, why should the victim, not the alleged abuser, be the one to leave? In fact, one of the goals of this bill is to provide further protection for women and their children so they can remain in the family home. Under this bill, if passed, the court would be able to include a condition in the intervention order specifically requiring the alleged abuser to vacate the residence. If he or she does not leave, the police could make an arrest for breaching the order. Charges could be laid under the Criminal Code. By contrast, currently the police can remove an alleged abuser from the residence only if he or she has been arrested or has breached an order for exclusive possession of the matrimonial home. To further protect victims at risk, police could also have the right to seize weapons and guns if they have been used, or threatened to be used, to commit domestic violence.

This bill helps victims achieve more financial independence by allowing the court to include conditions in intervention orders such as, as I previously mentioned, the granting of exclusive possession or exclusive use of certain property and ordering compensation for damages or losses suffered.

Again, we wish to make it clear that under this bill, breaches of an intervention order would be a criminal offence. If passed, this would make enforcement easier because, if convicted, the abuser would not just have a provincial record but in fact a criminal record. We believe this is a significant deterrent to committing the crime. Stronger provisions for detention and release would also be available under the Criminal Code. Currently, under the Provincial Offences Act, an alleged abuser can only be held for 24 hours, whereas under the Criminal Code the accused can be held for trial if he or she is deemed a risk. Ultimately the accused could be released on condition that he or she not possess weapons, not consume alcohol, not contact the victim, adhere to a curfew or report regularly, in person, to the police. If any of these conditions are breached, the person could be held for trial.

Penalties depend upon the circumstances in each case. However, under the Children's Law Reform Act and the Family Law Act, the maximum penalty for the first breach of a restraining order is three months in jail and/or up to a \$5,000 fine. On a second or subsequent offence this penalty increases to up to two years in jail and/or a \$10,000 maximum fine. Under the Criminal Code, jail terms up to two years can be imposed with the significant social stigma of a criminal record.

The members opposite have claimed that this government has focused exclusively on solutions that improve the justice system. I guess they are referring to the tripling of the number of our innovative domestic violence court programs. These specialized courts provide support to victims and fast-track cases to ensure effective pro-

secution. They can also provide counselling for abusers to help stop the violence; the doubling of the victim crisis assistance and referral service—VCARS—which links victims directly to the police and community-based services; and of course the doubling of the victim/witness assistance program, with more to come.

1530

This government makes no apologies for improving the justice system to better serve victims of crime and to hold those who commit the crimes accountable for their deeds. Domestic violence is a crime, a most repugnant crime, and must be treated as such by the justice system.

The restraining order reform proposed by this government is also a response to the recommendations made by the joint committee on domestic violence comprised of individuals from our community. We have never claimed that the Domestic Violence Protection Act is the only solution to help victims of domestic violence. But it is one more important step in a multi-pronged strategy to improve the system to meet victims' needs.

While minimizing our achievements, the members of the opposition maintained we had not supported victims through community-based programs. This is just not so. The facts speak for themselves: \$10 million in annualized funding has been allocated to help children who have witnessed domestic violence and to establish a transitional support program. This will help victims to establish new lives for their families, free from domestic violence.

Fifty-one million dollars has been allocated to support 98 emergency shelters and related services in the year 2000-01; \$21 million has been allocated to over 100 counselling programs for women and their children in 2000 and 2001; approximately \$50 million has been committed to support innovative community-based projects that focus on vulnerable children and adults as part of the victims' justice action plan; \$10 million annually has been allocated for the expansion of community-based programs, including the victims assistance and crisis referral services, SupportLink and making services more flexible to meet the needs of northern communities. SupportLink provides safety planning that can involve cellphones pre-programmed to dial 911. This would help ensure that the emergency response teams are alerted immediately if there is a danger.

Fifty million dollars has been committed to rent supplements to help house up to 10,000 families and individuals; an additional \$500,000 was provided to cover streamlined applications for emergency legal aid advice and the number of hours was doubled to assist abused women seeking restraining orders. The number of supervised access sites will be expanded from 36 to 54, providing for safe visits between non-custodial parents and their children.

There are more than 40 projects and initiatives in the areas of safety, justice and prevention to help meet the needs of abused and assaulted women in Ontario. In fact, this government is spending more to prevent domestic violence than it ever has in the past. In 2000-01 we will spend almost \$135 million, an increase of \$37 million

since 1995. An additional \$5 million will be allocated next year, bringing the total to approximately \$140 million. And much of this funding supports community-based programs and services.

Keeping the people of this province safe is a battle no one level of government can win on its own. Ontario is playing its part to ensure the safety of our communities, our families and our children. It is time for the federal government to live up to its responsibilities to keep our homes, streets and neighbourhoods safe. Earlier this month, Minister Flaherty called on the federal government to provide additional help to protect victims of domestic violence. He asked them to do this by making two important changes to the Criminal Code.

First, while breaches of intervention orders would be enforced under the Criminal Code, we asked that the federal government amend the code to make breaching an intervention order a separate offence. This would provide victims with additional protection by allowing for more timely prosecution of cases and would send a clear and strong message that domestic violence is a serious offence. Second, Minister Flaherty asked Ottawa to reverse the onus of proof in bail proceedings in domestic violence cases so that accused individuals would have to show that their release would not endanger the victim. These are changes that Ottawa can make easily and they are changes that would go a long way to protect the victims of domestic violence. I'm sad to say that as of this date we have received no firm commitment from the federal government to make these changes.

We have promised to better protect victims of domestic violence and hold abusers accountable. We believe that the proposed changes are important new additions to our government's continued efforts to do just that. If passed, the Domestic Violence Protection Act would cover more victims, provide faster access to intervention orders 24 hours a day, seven days a week, and give the police the tools they need to better enforce intervention orders. Faster access to intervention orders and better enforcement—that's the bottom line of this bill. This is an effective bill because it addresses the limitations in the existing laws.

Members opposite, including Frances Lankin and Michael Bryant, have indicated their support for this bill.

Ms Frances Lankin (Beaches-East York): Is he waiting for me to say something?

Mr Martiniuk: I was just providing the opportunity in case that was incorrect.

Ms Lankin: I'll speak later. I appreciate that.

Mr Martiniuk: I urge its speedy passage so that the people of Ontario can be safe and feel safe on our streets, in their neighbourhoods and, above all, in the sanctity of their own homes.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm pleased to follow my colleague from Cambridge, the parliamentary assistant to the Attorney General, with respect to second reading of An Act to better protect victims of domestic violence. I'd like to make a few comments with respect to this piece of legislation.

As we know, domestic violence is an issue that affects all of us as legislators, neighbours, fathers, mothers and finally as citizens of Ontario. It's a serious crime, and whether we have been the victims of domestic violence, know someone who has been or have lived in a neighbourhood where domestic violence has occurred, we are all affected. We are affected because our communities and neighbourhoods cannot prosper, cannot attract families, investment or business if we allow violence in our homes.

That is why during the past five years our government has taken a leadership role in the area of domestic violence. We have created and expanded the domestic violence court program and made it the largest and most comprehensive of its kind in Canada. We have expanded the victim/witness assistance program, the victim crisis assistance and referral service, the supervised access program and the SupportLink program. I'm proud to say, as the member for Barrie-Simcoe-Bradford, that my riding has been targeted for these initiatives. I can tell you, having walked through the courts in the city of Barrie, it certainly has demonstrated our government's commitment to this issue in terms of being there to help the people who need to be helped.

I'm proud of our achievement of making our justice system more responsive to the needs of victims of domestic violence.

1540

The justice system is a critical component in our battle against domestic violence because it holds abusers accountable for their actions. While these are important steps, we know there is more work to be done, so An Act to better protect victims of domestic violence, the proposed legislation, is intended to reform and improve the effectiveness of restraining orders to better protect victims of domestic violence.

I say that there is a need for change. Today victims of domestic violence obtain restraining orders that prescribe and/or prohibit the contact that an alleged abuser can have with the victim. These restraining orders have kept many women safe, but our government has heard from organizations representing victims, from family lawyers and from the police that restraining orders must be obtained more quickly and must be better enforced. They've told us that there is a delay in getting restraining orders because victims must apply during normal court hours. This is a real problem for victims confronted by violence after business hours and on the weekend. They've told us that a lot of people can't apply for a restraining order because the current eligibility criteria are too limited. For example, people who have been living together for less than three years can't get a restraining order.

But the most urgent call for change revolves around the need for better enforcement of restraining orders. Enforcement of violations of restraining orders falls under the Provincial Offences Act. This means that alleged abusers can only be held for 24 hours after violating an order, unless there is concern that he or she

would not appear in court. This may be fine for a minor offence. However, it is not acceptable for the serious crime of domestic violence.

We have listened to victims and community organizations, and that is why we are proposing to make important changes to better meet the needs of victims of domestic violence.

The proposed new law would create new domestic violence intervention orders. First, the legislation would help victims of domestic violence get intervention orders any time, day or night, across the province. These orders would be available during court hours, as they are now, but for emergencies, when the court is not sitting, orders would be available 24 hours a day, seven days a week. At the same time, the alleged abuser would be served with the intervention order faster and police would be alerted about the order sooner.

Second, our proposed new law would help to protect more victims of domestic crime. We propose to include people in dating relationships, making Ontario the first province to provide this coverage. We also want to include those who have lived together for less than three years, as well as family members such as parents living with their adult children.

Third, we plan to specifically list a clear set of prohibited activities that the alleged abuser would have to comply with. I'm going to refer to the legislation with respect to those areas that would be covered, as defined with respect to domestic violence under the act. Those include:

"1. An assault that consists of the intentional application of force that causes the applicant to fear for his or her safety, but does not include any act committed in self-defence.

"2. An intentional or reckless act or omission that causes bodily harm or damage to property.

"3. An act or omission or threatened act or omission that causes the applicant to fear for his or her safety.

"4. Forced physical confinement, without lawful authority.

"5. Sexual assault, sexual exploitation or sexual molestation, or the threat of sexual assault, sexual exploitation or sexual molestation.

"6. A series of acts which collectively causes the applicant to fear for his or her safety, including following, contacting, communicating with, observing or recording any person."

It also states in the act:

"Domestic violence may be found to have occurred for the purposes of this act whether or not, in respect of any act or omission described in subsection (2), a charge has been laid or dismissed or withdrawn or a conviction has been or could be obtained."

When we're dealing with this very serious situation, people have to know who is eligible to apply for an intervention order, which is very clearly set out in the act:

"1. A spouse or former spouse....

"2. A same-sex partner or former same-sex partner....

"3. A person who is cohabiting with the respondent or has cohabited with the respondent for any period of time, whether or not they are cohabiting at the time of the application.

"4. A person who is or was in a dating relationship with the respondent.

"5. A relative of the respondent who resides with the respondent."

There is an age restriction with respect to who can apply: "A person must be at least 16 years old to apply for, or be the respondent to an application for, an intervention order or an emergency intervention order."

The situations that are covered by an intervention order are very clearly set out and the persons that can apply for the intervention order are very clearly set out. These tougher conditions would be tailored to each situation. For example, communication with the victim would be prohibited; being too close to the victim, as specifically set out in the order or being in certain places such as at the victim's workplace would constitute a breach of the order.

A wider range of other relief for victims would also be available. For example, the alleged abuser might have to leave the home, and firearms and guns could be seized by the police. There are also provisions for the court to order counselling for the abusive partner or to grant exclusive possession of the residence to the victim so that the victim can stay in the home. These important changes would make intervention orders easier for police to enforce. That is a fundamental focus of this legislation in terms of enforcement to protect the victim of this type of violence.

Intervention orders would be enforced according to the provisions of the Criminal Code. This would result in alleged abusers being detained or released on a wider range of conditions. For example, an accused could be held for trial if he or she is judged to be a safety risk, not released after 24 hours, which is the current situation.

Those convicted of violating an intervention order would have a criminal record. This would send a clear signal that domestic violence is not tolerated in the province of Ontario.

The bottom line of these reforms is faster access and better protection for victims of domestic violence. These reforms will complement the initiatives we have taken to date to help victims of domestic violence and hold abusers accountable, because to keep Ontario as the best place to live, work and raise a family, we must work together to assist victims of domestic violence and help keep their children safe.

When we throw around the terminology of a "restraining order," we must understand what we're talking about. Restraining orders are non-criminal court orders that prescribe and/or prohibit contact between alleged abusers and victims of domestic violence. The proposed changes would replace current restraining orders with domestic violence intervention orders that would prohibit contact and would be more enforceable according to the provisions of the Criminal Code, which

would mean stronger terms and conditions for the release of alleged abusers. We certainly saw that on a number of occasions this past summer: unfortunate circumstances, terrible circumstances, something that we have to redress.

The Ontario government's reform consists of proposed new legislation—the Domestic Violence Protection Act—and changes to current practice to ensure that intervention orders are issued and enforced in an effective, consistent and timely a manner across the province.

The reform is consistent with the recommendations of the joint committee on domestic violence and with the government's Blueprint and throne speech commitment to protect victims and hold offenders accountable. We are keeping our word with respect to this important issue.

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The act, if passed, would provide clarity and make administration and enforcement easier for police, the courts and the judiciary. We've heard from the police, in particular the Durham Regional Police force, in terms of what they felt about this piece of legislation. They were in favour of it, because it was much more clear and certainly they understood more clearly what their responsibilities were.

Ontario would be the first Canadian jurisdiction with such expansive coverage, and the availability of the intervention orders covers a broader range of relationships, which I indicated earlier. The focus, easier and faster access to intervention orders, is the mandate of the day.

But better enforcement is the key, and stronger terms, in terms of dealing with the alleged abuser, and prosecution of a breach of an intervention order would occur in criminal courts, including domestic violence courts, and fall under the provisions of the Criminal Code instead of under the Provincial Offences Act. This would provide stronger terms and conditions for detention and release of the alleged abuser, increasing the ability to detain the alleged abuser where there is concern for the victim's safety. After all, the victim's safety is of paramount importance when you're dealing with something as serious as domestic violence and when you're dealing with a restraining order which is supposed to be respected. It clearly sets out what is going on in terms of contact that is not permitted. Yet, as we've seen on too many occasions this past summer, that wasn't the case; the restraining orders weren't respected. We need to make them tougher in terms of protection for the victim, and we have to make access easier and more efficient.

Now the federal government has responsibilities in this. While breaches of intervention orders would be enforced under the Criminal Code, the Ontario government will continue to demand that the federal government amend the Criminal Code to make breaching an intervention order a separate offence. If Ontario's proposed law is passed, violations of intervention orders would be enforced under the broad category of breaching court orders. A separate provision would allow for more timely prosecution of breaches and would make a clear statement that domestic violence is a serious crime.

I have no explanation of why the federal government hasn't acted in this area. They talk a lot and do a lot of review, and yet time goes by, society changes and nothing happens. That's what we're talking about, Mr Speaker, about the federal government. They do nothing with respect to dealing with serious issues. They just talk and talk, and they use their little puppets on the other side of the floor here to basically say that the provincial government should be doing something. Well, the provincial government is doing something. But the fact of the matter is that the federal government is responsible for the Criminal Code and the changes that should be put in place there to protect victims of violence.

They across the floor laugh, because frankly they have no alternatives. They have nothing to say, because frankly they're just puppets. I don't know what they're here for, other than basically to mimic the government with respect to a serious issue of domestic violence, and they laugh. But this is a serious issue and something about which I'm not going to be laughed at across the floor. I'm very serious about this issue. Other jurisdictions—for example, Manitoba, Alberta, Prince Edward Island, Saskatchewan and Yukon, as well as many American states, New Zealand and Australia—have legislation similar to that being proposed in Ontario. So where is the federal government? They're not there.

I'm now going to give up my time to the member for Northumberland. I know he'll carry on the fight to protect victims of domestic violence.

Mr Doug Galt (Northumberland): I was just starting to enjoy his discussion about the federal government and the Liberals here not doing anything to support the government of Ontario. I know that once upon a time—I think it was on August 16—Dalton McGuinty did say that as of that date he was going to start. But I haven't seen any results at this point in time.

I am certainly pleased to join in the debate for the remaining 14 minutes on Bill 117, a bill to protect the victims of domestic violence. As I am sure you will recall, this was really part of our commitment in the Blueprint, our campaign platform back in 1999, and this is part of our fall action plan. We're delivering on those promises, just as we said we would. We're taking a leadership role, a role we've actually been taking since June 8, 1995. We're going to make a justice system that's more responsive, as has been mentioned here on several occasions. As the previous member mentioned, the opposition just doesn't seem to get it. I guess they're just not up to the job, as the old saying goes.

It's so important that people feel safe in their own homes. If they don't feel safe in their own homes, where else can they possibly feel safe in our culture and our society? We as a government are certainly not about to tolerate domestic violence. It will be turned around. It's been evolving, and it's just not right that there has been an evolution and development in this area. There is no question that this government stands for public safety. As you look to the federal government, obviously it's soft on

crime, feels sorry for the victims—the perpetrators, rather; a slight slip.

Mr Michael Bryant (St Paul's): A Freudian slip.

Mr Galt: Yes, a little Freudian slip.

You know, let them out after they've served two thirds of their sentence and let them go scot-free. It's very obvious that they are soft on crime, and locally the Liberals in Ontario kind of support the federal government in that.

We've been very supportive of public safety throughout our first term and into the second term. I'm sure you remember the truck wheel incident that was going on back around 1996 or 1997 or thereabouts. Certainly we got very tough on the rigs and what was on our highways—a tremendous turnaround there. Improvement of highway safety is another example—the construction of centre barriers on our 400-series highways—and the significant steps our government has been taking with water. When that came to our attention, we moved very quickly, even though, if the regulations and rules as laid out by the province had been followed, that incident would not have happened.

The government has also expanded domestic courts. We've improved the victim crisis referral sites, and we've expanded the victim/witness assistance programs. Our government is sending a very clear message that domestic violence is wrong and we're not about to tolerate it in Ontario. Again, the federal government is soft on crime. We as a government are committed to public safety through tough sentencing and by introducing measures that work to protect victims of crime.

There is mounting evidence that there is a direct connection between animal abuse and human abuse. As a veterinarian making observations, I long thought there was a connection. But when I introduced a resolution a year ago this November, a tremendous amount of information came forward at that time. The resolution was about asking the federal government to increase the penalties in the Criminal Code as it relates to animal abuse.

I'm sure you'll remember the story that went across not only Ontario but Canada and North America in July 1999 about a dog called Nikita that was dragged for a long distance behind a truck. The owner stopped, got out, stood the dog on its feet, got back in the truck and again dragged the dog down the road—a very interesting experience in the response in my community in Northumberland, particularly Hamilton township, the Cobourg area, and the outpouring of empathy and concern for this animal. A tremendous amount of money was raised, more than enough money to treat this particular animal. It was interesting visiting and chatting with the veterinarian, when I was being recognized for bringing this resolution forward, that she was commenting on some of the new therapies that were being used in that particular treatment to get skin growth back on that animal. But here was an unofficial campaign that got the message out that dragging animals was not something

that would be accepted in our society, accepted in our culture. You observed that in the media this past summer there was no more dog dragging. There may have been some other animal abuse that was in the press, but certainly the dog draggings—it's a subjective view on my part, but I'm very sure I did not see any, and therefore I think it was rather successful, what happened at the time with that particular unofficial campaign.

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But we have heard of all kinds of acts of torture of animals, from being doused with gasoline and set on fire to having heads pulled off, and saying to their spouse, "This is what will happen to you if you don't do as I say." These are terrible things that go on in our society, but there is a relationship and it's being proven all the time.

One of the interesting ones, I find, is that the Ontario Society for the Prevention of Cruelty to Animals did a survey of women who were in abusive situations who had left the situations and were in shelters. They found out from this group of women that 61% had pets abused or killed by their partners, that 43% had pets threatened by partners, that 48% reported a family history of abuse, and that 48% reported that concerns over the safety of their pets prevented them from leaving sooner. I have to take my hat off to a person who would stay in an abusive situation for the protection of the animal, the pet. Certainly it goes beyond the call of duty, but this is happening on a regular basis.

The survey that was carried out included the shelter in Northumberland county, in the town of Cobourg. I might add that this was a shelter that the previous government kept being asked for between 1990 and 1995, and they didn't come through. They were asked in the late 1980s and the Liberal government didn't come through, but as soon as we took office, our government came through and a shelter for women was built in the town of Cobourg.

I'm sidetracking a little bit. There's no question that animal abuse is a clear indicator that either family abuse, human abuse, is going on or it's probably going to happen down the road.

I was very pleased to be part of the launch that the OSPCA had for Violence Prevention Week. This was the third one they had this year. That was just a couple of weeks ago, and that was at the Toronto police headquarters right here in Toronto.

It goes back to the fact that for people who have animals, who are responsible for animals, whether they be pets or whether they be commercial animals, it's really a privilege for them to own and to have these animals, and they should treat them as such. That was really why I introduced that resolution back in November.

I'm rather disappointed to see that although the federal government did introduce a bill for amendments to the Criminal Code, it looks like it's going to die on the order paper as we move into a federal election. It looks like Chrétien wants to jump ahead of having it next spring

when the four years would be up. I don't know why he'd want to go early, but it would appear that he is. Also going to die on the order paper is the endangered species bill. That was introduced by their previous government and died on the order paper back in 1997, and it looks again like that one is going to die. So I don't think they are very serious about things like upgrading the Criminal Code or very serious about the endangered species bill. What they're more concerned about, of course, is winning elections. We can understand that, but governing the country really should come first. Unfortunately, it doesn't seem to.

I'm currently sitting on a task force that is examining possible changes to the OSPCA act here in Ontario. This consists of representatives from the Solicitor General's office, the PA from there, the OSPCA representatives, and the Toronto SPCA. We're looking at ways of strengthening the provincial legislation in this whole area.

We seem to be living in an environment where violence is increasing. There are a lot of things in our environment that can change and influence our thinking, our minds, how we look at things. Having lived in Indonesia for a year, I can see how different values for something like human life are viewed in a different culture. Certainly in that culture, human life has a much lower value than it does here in a country like Canada.

I was interested also in the question that was asked earlier this afternoon about films and what's going on here in Ontario. I have long believed that the observation of violent films hardens or toughens individuals, and down the road there is more violence. I was quite interested in the response we heard that in the United States there are really no laws that control this kind of thing. As a matter of fact, some of the movie executives are now sort of testing it on younger children to see how they enjoy it or appreciate it or whatever.

At least here in Ontario we have an Ontario Film Review Board that does set standards for films and recognizes different levels of what people of different ages should be seeing. We have a classification system of some four levels, ranging from "family" to "restricted." Here in Ontario, "restricted" really means restricted. In the US, anyone can go to a restricted movie as long as they are accompanied by an adult. Here in Ontario, a restricted film is only for those 18 years and over. As well, information pieces on movie ratings and classifications have been available in movie theatre lobbies in Ontario theatres for the last six months.

The Ontario Film Review Board is also working with other provincial film boards to develop a countrywide warning and advisory system on videos. We know how difficult it is to control that kind of thing moving across our border. Some of the stuff that's moving on the Internet certainly needs to be addressed.

Finally, by the end of this year, the Ontario Film Review Board is hoping to have a searchable database of films on their Web site that a consumer can access to get

more information about any movie he or she wishes to view.

You can see that the Ontario Film Review Board and the Ontario government take the issue of violence in films very seriously and that we are indeed committed to giving consumers the tools they need to make informed choices about the films they may want to see or may be going to.

We also have perpetrators of this abuse growing up in violent homes where might is right. They get exposed to it there, and also out in the play yard. Whether it's the bully in the play yard or the bully in the workplace or road rage on our highways, these are all forms of toughening up and ending up looking at violence in a more acceptable way, which is not acceptable to our society.

I don't think there is any question that we have to support—and I enthusiastically support—a bill like this. It will send a strong message to the perpetrators of this kind of abuse. We heard just a few minutes ago that the police will have more tools to work with and will be able to make a real difference, and they're pleased that it's coming. We want to make sure people in Ontario do indeed feel safe in their homes and that domestic violence is not going to be tolerated in Ontario.

If Bill 117 is passed, it will indeed help victims of domestic abuse get a court order at any time, day or night. They don't have to wait until the period of time when the courts are sitting. It will also make intervention orders faster to obtain and easier to enforce.

For these many reasons, I can enthusiastically support Bill 117 and look forward to its speedy passage.

The Acting Speaker (Mr Tony Martin): Questions or comments?

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Mrs Lyn McLeod (Thunder Bay-Atikokan): I must confess that for only a few moments my attention wandered when the member for Northumberland was speaking. I wasn't sure, as I tuned back in, how he got on to the subject of abuse of pets when we're talking about the serious issue of domestic violence. I trust the government is not making light of its own legislation on this most important matter. Our frustration is that this is such a serious issue and one which needs to be addressed in so many ways.

The legislation which the government has brought before us now speaks to such a small part of what is needed—commendable insofar as it goes, but not nearly enough. The focus of this government, over and over again—maybe I should only say “over” twice, because I think we've had two major focuses that the Attorney General has referenced, and one was the establishment of domestic violence courts, which we applauded. We regret the fact that there isn't one in northwestern Ontario—that's an ongoing issue; there should be access for people in northern Ontario as well as in southern Ontario to the domestic violence courts—but nevertheless a laudable initiative.

As I say, this initiative is commendable insofar as it addresses one part of what's needed, but the government's focus has been on providing support to women who are already victims. It has been on the establishment of legislation that gives access, supposedly, to legal courts, although some very real questions get raised as to whether or not, when women don't have access to legal aid, even access to the court system is the kind of benefit they need. But anybody who's involved with those who are experiencing domestic abuse knows that 75% of women who are abused never report their abuse to the police, let alone get involved in the courts and the formal justice system. Yet this government has consistently failed to respond to the needs of women who are in abusive situations and who need to have the support to be able to leave those abusive situations before they in fact become victims.

I'm sure that as we continue this debate we will be able to say over and over again what this government needs to be doing if they want to prevent victimization of women.

Ms Lankin: I'll have an opportunity later to provide a fuller response, but let me say to the government members who led off the debate on this that this bill, in and of itself, has a couple of things to recommend it to the public of Ontario, but the way in which the government members have described the far-reaching impact and effects they expect from this I really find sadly amusing.

Let me say first of all that in order to make legislation like this meaningful you have to have the education and outreach in place in communities to inform women about this possibility, you have to have the legal aid supports to allow women to get the access and the supports. But most importantly the government members talked about how making the violation of this, a civil restraining order, a Criminal Code offence would be a significant deterrent. I suppose in a way it remains to be seen whether the police and the courts take this more seriously; without extensive education that won't happen. But I say to you that the deaths of the women this summer—and the Gillian Hadley case is a very good example—occurred with abusers, violent men who had already violated restraining orders, who had already violated bail orders. The violations of bail orders are already a Criminal Code offence. If someone is determined to kill a woman, a piece of paper, a restraining order, and the fact that a violation of it is now a Criminal Code offence is not going to deter that. It will keep honest guys honest, yes—and that's OK; I don't object to it—but please understand that this will not have far-reaching impacts.

There's much we need to discuss and we will have an opportunity through the course of the debates, and I hope public hearings, on this bill.

Mr Garfield Dunlop (Simcoe North): It's an honour to stand here this afternoon to comment on the second reading of Bill 117, the Domestic Violence Protection Act. I'm not going to speak about the federal government or about the link with animal abuse, but I would like to

just go back a little bit in time, because quite often everything I react to around here I react to because of my history on municipal government for the last 18 years before I was elected a year ago. I remember distinctly being at the Simcoe county council—I think it was in 1983—when the chairman of the social services committee—and I remember her; she's passed on now. Her name was Anne Monkman and she was chairman of the committee. She was reeve of the little village called Cookstown. She was a very thoughtful person and had a lot of concerns about social services in our county. I remember her coming to the county council, asking for a subsidy because it was a new program put out—I think it was just in 1983—on the abuse of women and on building shelters, that type of thing. Anne came and asked for just a little bit of money at that time—I think it was maybe only \$20,000 or \$10,000—to build a shelter in the town of Alliston.

It shows you how far we've come, because back then it was actually funny. She actually brought a story up. Anne was almost in tears that day and I'll never forget it. A person from her community had spent the night before in a henhouse because she had been beaten up quite badly. As I say, she was almost in tears when she was asking for this subsidy. That's when I first realized, as a fairly young person at that time, how important the issue of domestic violence was. It's stayed with me ever since. I've had a strong concern about it. I would like to speak more on this later on, but it was my initiation into what domestic violence was all about.

Mr David Caplan (Don Valley East): I am certainly going to follow up on the comments of the member for Simcoe North, but first I would like to express my bewilderment and shock that the Attorney General would not come to the leadoff hour to speak in favour of his own legislation. It is the tradition of this House that the minister does that. I would think that the Attorney General, given his stance that this is very important to him personally, would want to do that here in the House. I'm quite surprised that he wouldn't do that. I do want to point out that it has always been the tradition and that I fully expected to be here to hear the Attorney General speak to Bill 117.

I would like to say, in follow-up to the comments from the member for Simcoe North, that women's shelter funding has been cut by the Harris government over the course of the last five years. We all agree that they're the kind of community-based interventions that are real key to making a real difference in the lives of women and children. This bill, while everyone is going to support it—and that's a wonderful step—is not in place of, it's not an alternative to, it's in addition to the community-based interventions that we really need to make a dent in the horrible tragedy that is domestic violence.

In addition to the cuts to shelters, we've had an elimination of funding to second-stage housing. That's transitional housing for women and children to get out of the shelters, to be able to get back into a community, to get back on their feet. It's shocking that a government

which is going to bring in this measure, is going to say that they care so much, on the one hand, and hypocritically, on the other hand, cut and eliminate those kinds of services.

I am really very disappointed for those two aspects: the lack of a response and speech from the Attorney General, and the actions of this government.

The Acting Speaker: Response?

Mr Galt: I thoroughly enjoyed the response from the member for Simcoe North in discussing his experience, and its being abruptly brought to his attention. I am really surprised at the member for Thunder Bay-Atikokan commenting about not recognizing the connection with animal abuse. Certainly, those behind her in her caucus smiled and nodded their heads; they understand. Also, the act includes "an act or omission or threatened act or omission that causes the applicant to fear for his or her safety," such as injuring family pets. In fact, in the survey many of these women wouldn't leave these abusive situations because of pet abuse. I'm really disappointed that they're not getting it on the other side of the House, particularly that member.

To respond also to the comments made by the member for Beaches-East York about how there should be more education and prevention, I fully agree. That's a very important part. In this bill, there is the opportunity to order counselling for perpetrators. I think turning the perpetrator around is a very important aspect of whatever we do in connection with abuse and family violence. It's one thing to lock people up, but it's another thing to ensure that people don't do this in the future. That was also why I was talking about animal abuse. I was talking about the hardening that perpetrators get from seeing films etc. I think that kind of thing is very important.

Also, I think the member for Beaches-East York was missing the fact that there will be significant education and training dollars set aside, that training will happen for the police, court staff and crown attorneys as well as for the lawyers. I think I've covered the concerns expressed by those two members.

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The Acting Speaker: Further debate?

Mr Bryant: I'll be sharing my time with the member for Hamilton Mountain.

I rise today to speak on this bill on behalf of the official opposition. Let me say again—it's been mentioned in the debate already—that Dalton McGuinty and the Ontario Liberals support any step, however minuscule, in the direction of trying to tackle the cancer of domestic violence. Therefore, we support the bill.

The comment was made by the parliamentary secretary to the Attorney General that the official opposition saw the bill as insignificant. It's that its effect is insignificant. You see this response from the government and ask yourself what they have done after being in power for five years plus, when faced with a rise in domestic violence over the last five years, in addition to the domestic violence that was in existence already. The answer we heard from the government was that this bill

is one response. The second response, which is not addressed in this bill, but I don't mind making reference to it, is the domestic violence courts.

I have to ask the government, is this it? After the Arlene May inquest and the recommendations therefrom, after the Baldwin committee report, which I'll be speaking to in a moment, handed down over a dozen strategies, the government comes up with a very tiny piece of the puzzle. Nobody doubts for a moment that this is an incredibly difficult social issue to tackle. But you try to tackle it with a dozen or so strategies, not with this. If this were the last piece of the puzzle, then I would not be rising and saying it is insignificant and has no effect. But it would appear that this is it.

The problem with that, in my respectful view, is that the government is missing an entire part of the problem. An entire part of the picture for domestic violence is not just in responding; it's in preventing. It would seem, when you look at this bill and at this response, that this is it. We had a spring and a summer of horrors: deaths reported in the newspapers, 11 women killed over five months, many maimed and many abused. Many, of course, we don't even know of because they had no contact with the media or the criminal justice system.

After that summer of horrors of domestic violence, the government, armed with one of the nation's best studies on the topic, came up with this. Is this it? I was at the press conference and saw the charts, and I waited for more charts to come out. I saw the bill, and I was waiting for more bills to come out. I thought maybe there would be at least a pre-announcement, which would of course precede the other pre-announcement, which would then be followed by an announcement and a re-announcement of the bigger picture. But instead, we're getting a small piece of the puzzle.

What it does, from a political perspective, is create a vast difference between the approach of Mike Harris to domestic violence and the approach of Dalton McGuinty. I can sum it up in a sentence: Mike Harris's approach to domestic violence is to react at every stage; the McGuinty Ontario Liberal approach is both to deal with the serious issue of retribution and reaction via the criminal justice system and through our civil justice system, but also—and here's the difference—put emphasis on prevention. Because if we are preventing domestic violence, then we have less occasion to respond to it. But more importantly we are preventing domestic violence. Retribution is an important component of our criminal justice system, obviously supported by the official opposition, it goes without saying. Contributions have been made along those lines over the years, either through amendment or through our days in government. We debate these very issues in the House. Private members' bills are introduced by members of the official opposition—Mr Bartolucci's bills on child prostitution. We've had a number of bills that try to address the issue broadly. But let's be clear: our focus is on prevention, not just retribution. That's not enough.

So, of course we support this bill, because it is to some extent about responding. But this is important. I've heard the government say that this bill sends a strong signal to abusers. I've heard this before. I've heard this with respect to the Safe Streets Act. I've heard this with respect to the Parental Responsibility Act. I've heard this with respect to just about all their justice initiatives. I suppose the idea is that the Harris government's approach to safe streets is by way of the bully pulpit only, without more. In other words, they'll use their station to hold press conferences and speak in the Legislature—rarely in the Legislature, often in the media—to try to send a message. Yes, they're going to do that. But are they going to follow up with a legislative agenda which puts that signal into action? The answer would appear to be in the negative. This is not governance; it's public relations. And when it comes to issues as serious as domestic violence—obviously we have a number of very serious issues debated in this Legislature all the time, and nobody is discounting the member for Northumberland's issues and the importance there too. But we're here to talk about domestic violence, not about puppets and pet abuse. The day may come when you may want to debate that, but we have an important debate to undertake right now.

I don't understand why the government would not implement the Baldwin committee report. I don't understand why the government is only responding through the criminal justice system and is not doing anything about the 75% of victims who don't go to the criminal justice system.

I will say this over and over again: the vast majority of victims of domestic violence in Ontario have been abandoned by this government, because this bill doesn't do a thing for them. It doesn't do a thing for them. What they need is funding for second-stage housing. What they need is the cuts to women's shelters to be restored and then some. What they need is expanded helpline services.

What they need is support for initiatives such as the initiative introduced the Ontario Liberals to test for date-rape drugs. Incredibly, when we proposed the initiative, the Solicitor General's response was, "Well, no. Those victims should go to the police." All of us who are familiar with the issue could not believe the minister didn't understand that the vast majority of those victims didn't go to the police. We in this House may not like it that victims of domestic violence don't go to the police, but the statistics don't lie. Perhaps if we do improve prevention measures, then we'll have more people turning to the criminal justice system.

The problem with the approach of the government is that they undertake crackdowns without more. What we need is an enormous investment in prevention at the same time as we keep in tune with matters of retribution.

Speaking specifically to this act, let me say that this act permits the seizure of weapons. This provision is already available to judges when setting conditions for bail under the Criminal Code. It's redundant.

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The new act permits removal of the alleged abuser from the home. That's already available to the police under the Criminal Code.

I cannot emphasize enough how this so-called signal is going to have no effect. Abusers are flouting the criminal justice system at every turn. There are orders ad infinitum out there telling them not to do what they're doing. That is a far stronger signal, frankly, than a press conference and this piece of legislation. They're ignoring it. It's not enough.

I'm just going to wind up by saying I've met with a number of people providing the services in sexual assault centres across this province: the Three Oaks Foundation; the domestic violence project in Belleville; the Sexual Assault Centre in Belleville; the Sexual Assault Centre of Brant; Haldimand-Norfolk Women's Services; Women's Place in St Catharines. They all told me the same thing: there is no investment or commitment from this government that to them is sufficient to deal with their needs in any way. They just sort of survive hand to mouth. They don't know at the end of each quarter whether or not they're going to be able to, for example, keep their crisis line running.

I would just wind up by stating the obvious. We don't need another symposium. We don't need any more press conferences. We just need to implement this report, Working Towards a Seamless Community and Justice Response to Domestic Violence, a five-year plan for Ontario, submitted in August 1999 by the Joint Committee on Domestic Violence, chaired by Judge Baldwin, who had to write a letter last summer to the minister to remind him that this report has been gathering dust for the last year.

Implement the report. Let's pass this bill, let's have some hearings, and let's implement the report.

Mrs Marie Bountrogianni (Hamilton Mountain): I'm pleased to join in this debate. A few months ago, a poll was done and a lot of things were on the minds of Ontarians: health care; violence in general; education, of course. But domestic violence wasn't on the minds of Ontarians despite the fact that 44 women were killed in one year alone in Ontario. One wonders, is it because we don't care, or are there other reasons?

Of course Ontarians care. But if they are not affected directly themselves, the problem doesn't exist; it's easier to believe that the problem doesn't exist. "It happens to someone else's family, not to mine. It won't be my sister; it won't be my daughter. It will be someone else's. I feel bad, but I don't have to worry about it. There are so many other things to worry about."

That's a normal human reaction. It's called denial. Unfortunately, that denial can be very dangerous, because there but by the grace of God go I. It could be any of our daughters, any of our sisters. It could be any woman. It cuts across socio-economic status, although certainly if you are in the lower socio-economic status, you have a significantly higher probability of also suffering abuse.

Another reason that I believe it's not on the radar screen even though it should be is ignorance, lack of knowledge. People simply believe it's another form of injury or assault. It's a lot more than that. Woman abuse is about power. It's not simply aggression or injury. The bigger the difference between the power of the abuser and the abusee, the bigger the abuse and the more the danger and the more the probability of death.

A great deal of research has been done about that. In families where a woman has less power by virtue of either not being in the labour market or not having adequate education, she has a greater probability and a greater risk of being abused. Once again, abuse gravitates toward the greatest power differential.

Abusers also abuse when they are feeling powerless. Sometimes the fact that their partners attempt to gain some independence makes them feel even more powerless and increases the probability of abuse. By the way, the same sorts of feelings of insecurity and powerlessness, particularly in times of unemployment or economic hardship, also lead to probability of sexual abuse of children.

It's amazing—not quite amazing to me because I've worked with women and children in these situations, but it is amazing to the general public—why women in these situations don't just leave. Well, it's not that easy. In fact, it is one of the most difficult decisions that a woman makes.

First of all, abused women often believe they deserve their abuse. Their self-esteem has been battered to the point where they think they must have done something incompetent. They begin to believe that they deserve the abuse, and they blame themselves.

I have counselled young girls in high school who have been abused by their teenaged partners, their dates. Statements I can remember briefly are, "Well, he only does that when he feels insecure," and, "I know he really loves me." Quite often when interviewing these girls for a deeper assessment, of course, we find that there was abuse in their family, and the cycle is just continuing.

Another piece of information that a lot of the general public find amazing is the fact that abusers often are defended by the very people they abuse. Again, if you think about it for a moment, it's very difficult for a child and, yes, even a female to admit that he or she has been abused by the male in the family. I've also heard from children, "If only I was good, Daddy wouldn't have done that to me. If only I was good, Daddy wouldn't have done that to Mommy. It's got to be something I did." That often leads to depression, suicidal ideation and an increase in mental health problems in our society.

The member opposite talked about animal abuse. When we look at kids who abuse animals, we tend to dig in to see why they are doing it, because it is a huge indicator of future aggression against humans, and a lot of that history is also a history of family violence. And yet these kids as well, even after we've taken them into children's aid and made them safe, will often want to go

right back to the family that used to beat them and do worse things to them.

The family is strong. The sense of family is strong. So this is a much more complex task than simply—although welcome—changing a law. What is needed, and my colleague talked about it very well and Ms Lankin talked about it wonderfully the other day in the House, is for women to be economically viable, to be able to provide for their family and their children so that they are able to leave. That is what is required.

I'll just talk for children for a few minutes, because it is indeed a cycle that gets reinvented and reinforced. Children in abusive homes suffer emotional abuse and sometimes neglect because parents can't supply the energy, the calm and the sensitivity that are needed. Children who witness violence are more likely to be in violent relationships when they grow up. We pay for this dearly. We pay very dearly for not stopping this violence. When we tolerate this violence—and make no mistake about it, we have been tolerating this violence in our society—we pay dearly. Health costs for injuries and chronic health problems caused by abuse amount to about \$1 billion every year in this country. Abused women are more prone to accidents and reduced concentration and productivity at work. That is why the co-allocation of women's recommendations on the workplace are so important, and I'll get to those later in the debate.

We also pay a social cost in the form of children too traumatized to learn or develop normally, taking up more teacher time, more police time with youth crime, and so forth.

One of the budgets that were cut by this government was the budget to the Ontario Women's Directorate for counselling in the schools. These counsellors would go into the schools and warn females about these signs. I'm sure a lot of members opposite have daughters. I have a daughter. I'm going to warn her about these signs, but as you know, children often respect, especially in the teenage years, hearing the same things from other adults rather than their parents.

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For example, does your partner continually criticize what you wear and how you look? Does your partner tell you how to dress? Does your partner call you insulting and degrading names in front of other people or when you're alone? Do you feel like you need to ask permission to see your friends, your girlfriends? Do you feel that no matter what you do, everything is always your fault? By the way, that's a very common theme when you're in therapy, listening to kids saying, "It's got to be my fault. It's got to be my fault." Do you feel like you're always walking on eggshells, trying to avoid an argument? And when you're late getting home, does your partner harass you about where you've been and who you were with? Is your partner so jealous that you're always being accused of having other relationships?

These are simple criteria, but they sometimes need to be reinforced over and over and over again, because it's very hard for young people to actually believe that the

person they've chosen to date or to love actually is an abusive person. We've heard, these past few days, about the sexual assaults on York University campus, and that is one form of assault, but the other form of sexual assault is date rape. We've gotten a lot better at warning young women about date rape and what it is. It was only 10 years ago when the majority of young women who were date-raped didn't even know they were date-raped. They felt it was something that they did, that they deserved. Certainly they didn't report it to the police.

With respect to reporting to the police, it has to be the woman's decision. Family dynamics and personal dynamics are too complex to have a black and white solution for everything. In some families, whether it's cultural or personal, going to the police is not the first step, for various reasons.

In 1996, 8,450 women and their children turned to a Toronto hostel or shelter because of spousal abuse and/or family breakdown. Research by Stats Canada showed that 29% of Canadian women who have ever been married or in a common-law relationship have been subjected to sexual or physical violence from a current or former partner. Now, I know we've come a long way, provincially and federally. It wasn't that long ago when what I just said provided an opportunity for laughter from male legislators, a couple of decades ago. It wasn't that long ago; we have come a long way, but we need to do more.

It does remain largely a hidden problem. It is still a shame to a woman to admit this. I mean, think about it; just get in this woman's head for a moment. It's admitting a failed relationship. It's admitting that perhaps, at least in her mind, "You're not good enough for a good relationship." Counselling is very, very important. Employment opportunities are very, very important.

Seventy-five percent of women who come to a shelter arrive with their children, more than half of whom have witnessed violence in the home. A high percentage of these children have also experienced direct physical or sexual abuse. In fact, when you counsel these women and you ask, "Why did you leave now and not last week or last year?" they'll say, "Up until now, he didn't touch my children. Now that he's touching my children, I knew I had to leave." Again, it's that instinct.

While most children in shelters are relieved to finally be in a safe place, they don't really want to be in a shelter. They don't want to be crammed in with other kids and other families with similar situations. They want to see their friends; they want to be in a normal apartment or home. These shelters are necessary, but they should only be a short-term wait for social housing, and that's why second-stage housing was so very important. It was a reprieve between the emergency and the emotional roller coaster of being in a shelter and finding permanent housing. So when second-stage housing budgets were cut, a lot of women lost that sanctuary, and a lot of children lost that safety.

Again, I have to say it's not a black and white issue. I remember counselling kids who had been abused and felt much safer in the shelter, but they still wanted to go back home. Even though there was an abusive person there, that tie, that pull back home was very strong. It's not black and white.

Women remain with their abusive partners for many reasons, including the fear of violent retaliation by their partners. In fact, the probability that they will get hurt or killed increases if they leave. Think about this: you're trapped. If you stay you get beat up and possibly killed; if you leave you increase your probability of being killed.

This shouldn't occur at all in Ontario and in Canada, never mind 44 times in this great province of ours in one year. In fact, the statistic is quite clear: women who leave are six times more likely to be murdered by their partners than if they had stayed. It can take several years for women to become stable and regain control of their lives after leaving an abusive relationship.

I did a tour of the north and I was in Thunder Bay with Lyn McLeod about a month ago and we visited shelters. One shelter which deals a great deal with aboriginal women said to us, "Our numbers on our waiting list are actually down this year but our crisis phone calls are up." Women are still abused, they're still afraid, but they're not leaving and they still require help.

Women with disabilities are 34% more likely to be physically or sexually abused by their partner. Imagine that horror. Imagine that sense of helplessness. These same women are often economically disadvantaged and depend on their partners for caregiving as well. Social assistance can be an important transitional support for these women. The 21.6% reduction in welfare in 1995 made it more difficult for those women to escape violence.

I'll never forget in 1995, just after that election, I had a seven-year-old patient whose mother had just left. Here he was, seven years old, and he was telling me, "That 20% Mike Harris cut has really hurt us." I thought, why should a seven-year-old even be thinking about these things when my seven-year-old—who at that time was seven years old—was arguing with me about what kind of running shoes I should buy him? It's just not fair. Yet by the grace of God go I. I have a daughter; I have friends.

Even though the probability of a woman in a lower socio-economic bracket is higher for abuse, this cuts across every socio-economic status, and sometimes it is even more difficult for women in middle- and upper-class families to leave, because the shame is too great, the embarrassment, and the loss of financial status is too much.

Abused women and their children are staying longer in women's shelters due to the lack of affordable housing in Toronto. Because of this, there's a shortage of shelter beds for new arrivals. More women are being referred to the general hostel system, where they now represent 10% of all users. That's up from 6.5% in 1993. In my area, in Hamilton, there are a number of families living in hotels

that the municipality is paying for because of the waiting list in shelters.

Abused women now typically wait three to six months to see an individual counsellor. The majority of all funding is currently directed to emergency responses, but only 2% is directed to transitional services. The cutbacks have hurt.

A province-wide steering committee has already been established to work toward a seamless domestic violence program across Ontario based upon the recommendations of a coroner's inquest into the death of Arlene May. As my colleagues Michael Bryant and Ms Lankin have said, these are the recommendations that we could be following to prevent more abuse.

You hear a lot of numbers bantered back and forth as to how much this government spent, how much the Liberals spent, how much the NDP spent. What I've got here is some information from the Ontario legislative library—non-partisan information: payments to social service agencies funded by Comsoc were reduced by 2.5% effective October 1, 1995. A further reduction, the equivalent of another 2.5%, came into effect on April 1, 1996. Counselling funding to second-stage shelters has been cut by 100%. However, their mortgages continue to be funded through the Ministry of Municipal Affairs and Housing. Comsoc funding to the Ontario Association of Interval and Transition Housing has been cut as well but the organization has received money from other ministries for specific projects. I look forward to questioning the minister in estimates as to exactly how much money is being spent. I know that the same \$10 million has been announced a few times since I've received this portfolio, which isn't that long ago.

Hamilton shelters are swamped. The region is picking up the cost of hotel bills. When the hotels in Hamilton were recently fully booked, the shelters grew concerned about where the families would go for those nights—homeless and on the move again.

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Women and children do not want to be in shelters but they need a safe and secure place to stay while they recover and readjust. This further insecurity is detrimental to the recovery process. Women are nervous about accessing shelters. They need counselling programs, support lines and crisis lines to assist them. Most shelters in Hamilton have crisis lines to assist women escape their abusers, but only one in four calls go through. There are a lot of busy signals.

It should be the victims' right whether they choose to report their abuse to the police. As I said earlier, the chance of abuse increases when they leave.

A native women's centre in Hamilton, which is the only centre that services native women, is badly in need of renovations. This centre has serviced over 927 people—591 women and 236 children—for the last three years. The centre provides ongoing support to native women and their families. The staff respond to more than 1,000 crises a year. The occupancy rate of the centre has increased more than 30% over the last year and the total

number of referrals reached 747 for the year 1998-99. Yet this centre and its occupancy is severely limited by the physical configuration of the sleeping area and by the program space.

Within the shelter itself, there are huge challenges. It is not handicapped-accessible. We heard earlier about the Ontarians with Disabilities Act. Here we add insult to injury, literally. They are abused, they are handicapped, and yet this shelter, such as it is, is not handicapped-accessible.

Within the shelter itself, the quality of life is threatened as the shelter cannot provide adequate space for its residents and staff. The shelter is actually turning away women and their children due to a lack of space. There are minimal sanitary facilities and these bathrooms do not function properly. The existing mechanical system—heating and cooling—does not function adequately at all and it's been problematic for some years.

It's critical that the shelter establish a supportive, non-threatening and safe environment, a place where healing can commence and ultimately one which encourages reconnection of the clients with ordinary life.

The municipality is supportive and in favour of renovation of this existing facility. A federal grant was given and a proposal was made out of this federal grant about the need. The board and staff have successfully provided these quality professional services and are willing to guide the planning of this new renovation, and they're still waiting for a response.

It's been two weeks now since the women's coalition came to Queen's Park and asked for and received Mr Hampton's signature and Mr McGuinty's signature on emergency measures to at least try and prevent more deaths after this awful, shameful and unforgivable summer. What did they ask for?

Emergency services: community-based services for women and children, \$50 million. In comparison to the \$200 tax rebate, which is \$1 billion, and in comparison to the government advertising—and I know all governments do it—of \$180 million, when \$50 million of that could have gone to these community-based services, it's a shame.

Shelter funding: making the assaulted women's helpline a province-wide service as per its circulated proposal, not just a Toronto line which is only able to handle one quarter of the calls. The women want a further \$15 million in annualized funds to independent community-based shelters, including those not currently funded by Comsoc. In communities where there is a documented urgent need for additional shelter beds, those should be granted, and immediately implement the shelter funding review as recommended in the Arlene May inquest report.

Second-stage housing programs: the women believe this is an essential protection. Many women who have found the courage to leave find themselves returning to abusive situations because they no longer have housing options. Second-stage housing is a critical safety bridge; it's not a duplication of service as the minister thought.

The sector is currently dangerously underfunded and understaffed.

Sexual assault and rape crisis centres: community outreach workers at rape crisis centres are struggling to keep pace with the demand. Women who cannot or do not want to contact police rely heavily on these rape crisis centres as their point of contact. The centres are crucial in linking women to appropriate social services.

Then we ask for community and neighbourhood supports. Province-wide anti-violence advocacy groups need to be funded. Basically, what these advocacy groups are, to clarify, is education. We need to educate the public, much like the way we educated them about smoking, about seatbelts, about much less important things, and yet we spent the time and money to do it. We need to educate the public about this hidden crime.

Ensure sufficient and stable funding to French-language services in community-based agencies throughout Ontario and provide stable funding to support women's centres, so they know year to year what they are getting.

Changes to legal aid: with the legal aid system in a funding crisis, the very bill that you're passing and that we're all going to support will be inaccessible to many women. Increase the hours for private representation of abused women in family court matters. Abandon the plans to increase the use of duty counsel.

Provide funds for interpretation in family court, as per the current provisions for criminal and immigration court. Imagine going through this stress and this danger and not being able to communicate in your language or be understood in your language.

The women came and asked for some very reasonable funds. It was a compromise. It's not what's needed, but it was a compromise. A minister was not even present. The Premier couldn't be present, but he didn't even send a minister. He sent a parliamentary assistant, who admitted she didn't have the authority to sign. This was an insult to the women. Eighty-one groups were represented there. It's not easy to get that many groups together in one day, that many different groups from all over Ontario together in one voice in one day. It's not that easy to get the two opposition parties together, united in such a strong fashion, in such a quick amount of time; it was a couple of weeks I believe. But there was such an obvious need, how could you say no?

Our leader, Dalton McGuinty, signed the emergency measures. The leader of the NDP, Mr Howard Hampton, signed. All we had on your side was a parliamentary assistant, who very sweetly said, "I don't have the authority," with a smile.

All of the female caucus members, both across and on this side, received a letter from, and I have permission to use her name now: Shelly McKay. I would like to end by quoting from Ms McKay, who was a world-class athlete, by the way, and is afraid for her life when her abusive partner is going to make probation within a few months:

"Currently, Canadian citizens believe that when victims of domestic violence seek help from the law they get it. In fact, the law contributes to the abuse. Similarly,

as in violent relationships, it seems that our society has made a silent agreement to pretend that violence is not a problem. Now is the time to challenge men's violence against women."

She continues: "I knew when I saw the look of terror in my four-year-old daughter's eyes as she watched her father assault me that I had to break the silence about our suffering. It is time to identify the cause of this suffering and through collective community action recognize the seriousness of domestic violence."

She ends her letter with the quote: "It doesn't matter to me where you live or how much money you have, I want to know if you can get up after a night of grief and despair, weary and bruised to the bone, and do what needs to be done for your family."

These are unimaginable events to me. I've been fortunate to not ever witness violence in my family or in my present relationship. I cannot even begin to pretend to imagine what it must feel like for women and children in that situation. I implore the government members on the other side. It's a good start, this bill, but it's not nearly enough. It's a good investment. It'll stop crime, it'll stop mental health problems. Join with us. Let's work together on this one. Let's stop abuse.

1700

Mrs McLeod: I'm appreciative of the fact that my colleague ended her remarks by quoting from a letter which she has drafted for our signatures to ask the Attorney General to look in more depth at the needs of women who are experiencing violence, who are victims of domestic violence. She has quoted the letter from Shelly McKay, which was the trigger for the letter my colleague drafted, but I want to quote what my colleague and all of us who have signed this letter, the female members of our caucus, are asking from the minister.

"The introduction of Bill 117"—the bill that's before us this afternoon—"An Act to better protect victims of domestic violence, although laudable, does nothing to really change or benefit women who suffer from domestic violence. It is not enough. It does not address the most pressing and urgent issues for women and children who suffer from domestic abuse.

"Many victims of domestic violence do not have access to the court system. Women are unable to access legal services and press charges if they're still living with their children in the same house as their abuser. They are often unable to seek legal representation if they are financially dependent upon their abuser."

One of the reasons that triggered Shelly McKay's letter and that triggered this letter from my colleague and co-signed by the female members of our caucus is the fact that there were a number of women representing women across this province who came to Queen's Park to rally against domestic violence. Some 40 women came here on September 20. They represented over 80 women's groups. There was a consensus among these women representing their respective groups as to what government needed to do if it was serious about decreasing domestic violence.

Quite clearly, the reason for the coalition coming together was in their response to the horror of the deaths we saw this summer. This summer was not unusual in the sense that the deaths occurred, because year after year we have seen the numbers of women who are the victims of domestic abuse. But I think this coalition of women has decided that surely this was the time, after the horrors of this summer, to approach a government that claimed it was interested in dealing with violence and to make a very clear case for what needed to be done to try not just to deal with victims once they are victims, because too often that's too late, but in fact to prevent women being the victims of domestic violence.

I understand that our leader, Dalton McGuinty, and the leader of the New Democrats or this representative of the New Democrats were very quick to endorse the recommendations that were brought forward by this coalition of women because it might be seen as somewhat unusual to bring about a coalition, let alone to find a consensus among them. For our party, and I believe for the New Democratic Party, endorsement of those recommendations was consistent with our belief that much more had to be done.

The response was not as enthusiastic. In fact, if we were to look at the response we've seen since then, I would have to point to the fact that women's centres were cut this week. Four more women's centres experienced cuts. The women's centres in my community at least, the women's centres that are able to reach out in a truly preventive way to provide women with the information and the awareness and the support they need, won't be able to keep going with the cuts. We've spoken to them. As my colleague indicated, we visited with the women's centre, as well as the women's shelter, in my community just a few weeks ago, and the women's centre said to us, "We don't know whether or not we're going to get renewed funding from government, and if we don't get renewed funding from government, we don't think we can keep our doors open."

The minister responsible for women's issues talked about the fact that the women's directorate had increased funding. Why would you shut down something which is working effectively in order to put more money into something where we haven't even seen—this isn't my critic area, but I haven't seen any indication of how this increased funding for the women's directorate is to be spent. All I know for sure is that the women's centre in Thunder Bay made it very clear to us they would not be able to continue providing support, information and awareness-building for women if they didn't get renewed funding. Indeed, the response of the government this week to the message that came from that coalition of women's groups was to cut the funding for the women's centre in Thunder Bay and in three other communities.

Michele Landsberg noted in her column recently that on the very day of the women's lobby action, the city of Toronto's homelessness report noted that there has been no increase in the 320 beds in assaulted women's shelters in Toronto since 1992. The spillover of a further 300

assaulted women and children is crammed into the city's homeless shelters.

One of the things my colleague just spoke about that struck me as well on the visit to Thunder Bay was when we were told that the number of people waiting to get into the women's shelter in my community is actually down. In fact, they weren't full the day that we visited. That's very unusual.

But the shocking thing they told us was that the number of women calling in crisis and asking for help had increased exponentially. The message is very clear: women are less able now than they were even a few years ago—this has been an ongoing crisis for women, but it's even worse now than it was a few years ago. They are afraid to leave the abusive situation.

We were concerned a few years ago, just a handful of years ago, with the cuts to women's shelters and the 5% cut to rape crisis centres. We were concerned that with the kinds of cuts that were taking place, there wouldn't be the front-line services there for women who were able to leave abusive situations and seek that support and help. We continue to have that concern. One of the requests from the coalition of women was to restore the 5% that was cut from rape crisis centres.

We are certainly concerned about the fact that the funding for counselling programs for women in second-stage housing was completely eliminated by this government a few years ago, because we know how much more difficult that makes it for women to establish independent lives if they're successful in leaving an abusive situation.

But it is shocking to think that an emergency shelter might not be fully occupied—even though women are clearly in crisis, because they're calling the shelters—because women don't feel they've got the support in the community to allow them to safely leave that abusive situation.

What we're starting to see now, after these last five years of expressing concerns about what would happen to women with the Conservative government's cuts to those front-line services, is that we're starting to see the impact.

Hon Cameron Jackson (Minister of Tourism): We increased funding.

Mrs McLeod: The minister opposite wants to interject and say that they've increased funding. If the minister would like to become part of the debate, I would love to have a one-to-one debate.

The Acting Speaker: Order.

Mrs McLeod: I'm happy to debate him, sir.

The Acting Speaker: It's much better if it's one at a time.

Mrs McLeod: Thank you very much, Mr Speaker. I think the member opposite is very anxious to talk about the increase in funding that government has made to help women who are in abusive situations. I would suggest that the government's initiatives are clearly outlined in the statement that the Attorney General made when he introduced this bill, because the Attorney General quite

clearly said, "We have taken a leadership role in the area of domestic violence."

Am I paying him tribute? Not really, because the minister went on to say, "We've created and expanded the domestic violence courts program and made it the largest and most comprehensive of its kind in Canada." Earlier this afternoon, I said that we had acknowledged at the time that that was a commendable action, although I continue to regret the fact that there is not a domestic violence court in northwestern Ontario. I believe if there is going to be access for women who are victims of violence, it should be equitable access across the province. That's certainly not the case for women in my part of the province right now. Nevertheless, it's a laudable program and we'll continue to press to have it extended to northwestern Ontario.

We've also said that we can support the direction of this legislation insofar as it goes. When I was campaigning as leader of our party in 1995, one of the things we had called for was the requirement that there would be no bail granted to perpetrators of violence who had broken a peace bond or a restraining order. I understand that may require some changes in the Criminal Code of Canada and I would second the actions of the government in looking for those kinds of changes.

I have a different view about the willingness of the federal government to provide support for those changes. I happen to know that the government is looking very seriously at the kinds of requests for Criminal Code changes that this government has requested of the federal government. I'm actually looking forward to seeing the symposium that I understand the federal government is holding on domestic violence—or planning to hold—later on this year. I don't have the exact date, but I trust that when that particular symposium is set up, the Ontario government will be well-represented and participating in the kinds of changes we all want to see in legislation federally as well as provincially that would provide some greater protection for women who are the victims of domestic abuse.

1710

I have no quarrel with changes in the justice system. Where I have a quarrel with this government, and it is a serious quarrel, is that the cuts they have made that have a direct effect on women who are in abusive situations are to the very services and community supports that would allow women to leave abusive situations so they are not victims on a continuing basis. How do we prevent women and their children from being the victims of abuse?

If I can return to my concern about the impact of the Harris government cuts on front-line services and what we're seeing happen five years after those cuts, and return to the fact that we learned in Thunder Bay that the crisis calls to emergency shelters have significantly increased while the number of people actually waiting for an opportunity to go into a shelter is down, there can be no conclusion other than the fact that women are afraid to leave abusive situations because they don't know

whether or not they can get that support in the community.

My colleague made reference to one of the first actions of the Harris government when they cut the welfare support by over 21%. If you're a woman in a situation where you're abused but you've got a small family, you know that leaving that abusive situation means that you've got to provide for your family—and I'm not going to take time in this debate to get into the incredible challenges that women face in getting child support once they have left a situation. Women know that they are going to have to find ways of supporting themselves and their family if they have the courage to leave that abusive situation. They know that even if they can get into a shelter and get that emergency support, it's going to be almost impossible for them to find housing. If they do find the second-stage housing as a transition to fully independent lives in the community, they know they're not going to have the counselling support that would help them take those next steps to independence. They know that when they're out on their own, if they're not in an economically independent situation, they're not going to have enough support from the social security system here, from the welfare system, from family benefits, with a 21% cut; they're not going to have the kind of support they need in order to provide adequately for their children or for themselves. So of course they're hesitant to leave even the most abusive situations.

My colleague has spoken very eloquently, as somebody who has been in the practice of psychology for some time, about how difficult it is for anyone to leave an abusive situation. It was many years ago when I worked in a children's aid setting where I saw the kinds of impact on children continuing to live in a house where there was spousal abuse. My experience is so much less and so much more distant than that of my colleague, but I remember going and sitting down in the living room with a woman who was clearly in an abusive situation and asking her why she wouldn't leave. She said, "I just can't. I don't know how." As my colleague has said, the family bond is very strong. The commitments, the psychological ties are very difficult to step away from. Women in those situations have so often, because they are the victims of a power imbalance, come to see themselves as somehow at fault. It's not just children who think that they've been bad and that's why they're being punished; women have those same kinds of feelings. They need a tremendous amount of support if they are going to step out of an abusive situation and yet that support is not being provided in the way in which it should be.

One of the other groups that we visited in Thunder Bay is working with women to help them establish independent businesses. That's certainly something which deserves support, because the more economic independence women can have, the more they'll be enabled to step away from situations in which they are being physically or mentally abused.

I want to return to the request that the coalition made just a couple of weeks ago that this legislation simply is no answer to. The kinds of things that the coalition was looking for were money for a multilingual, province-wide assaulted women's helpline; second-stage supportive housing for women moving on from homeless shelters; restoration of the 5% cuts to rape crisis centres with additional funds for community outreach; more cultural and sign language interpreters for assaulted women in family courts; more legal aid for family law and victim witnesses, because if we are going to have improvements to the justice system women need to have access to the legal aid so they can avail themselves of the justice system; a cost-of-living adjustment for welfare rates; an end to provincial clawbacks of federal child tax credits; money for community-based shelters and anti-violence advocacy work; stronger measures to protect women who are sexually harassed at work.

It's sad really, when you realize how many of those requests relate directly back to programs that were in place five years ago and that have been cut by this government. Maybe that's why they were so reluctant to respond to what seemed to be such important requests from this coalition of women's groups.

Michele Landsberg notes that the Tories not only refused to respond positively but they did re-announce the \$10 million that they'd promised in the last budget to fight domestic violence. If I can quote her, she says, "The Tories are nothing if not environmentally canny. They reduce, reuse and recycle every promise until it's worn as thin as the paper it's written on."

Eileen Morrow of the Ontario Association of Interval and Transition Houses told the crowd at the rally that women were desperately disappointed after all the killing of women that we've seen.

On September 8, Mike Harris said he would make the prevention of domestic violence a priority for the fall session. If this is an example of his commitment, the women of Ontario have much to fear.

I want to quote further from the women who were at that rally. A Mrs Khosia, in recognizing that only about 10% of women in abusive relationships actually turn to the police and the courts, said, "What is the point of putting into place all kinds of legislation that women cannot access because their access to legal aid supports and to advocates, who would help them actually even get these restraining orders in the first place, is so greatly reduced since this government has come into power?"

Eileen Morrow, again recognizing that the vast majority of victims of domestic violence don't touch the criminal justice system and that this legislation is doing nothing for that balance of 98% of the women who are not accessing the court system, complained that the government is failing to help women in abusive relationships because it's not providing the money needed for shelters and crisis hotlines. If I can quote her, she said:

"When women were being murdered this summer, crisis lines at shelters and beds at shelters were overwhelmed. The crisis lines couldn't take all the calls. The

assaulted women's helpline in Toronto was overwhelmed with calls. To me, that's an indication of what women are asking for."

I want to believe that the government is seriously concerned about helping women who are victims of domestic abuse, women who are victims of violence. I want to believe the words they put forward in bringing forward their legislation in saying that dealing with domestic violence is a priority for the government. I want to be able to support this legislation even though it deals with such a small part of what's needed. I want to be able to support it in the knowledge that this is but one small part of what the Ontario government is committed to do to prevent more women from fatally being the victims of domestic violence. But I know that unless we see some significant responses from the government to all of the issues that have not been addressed and cannot be addressed in legislation—cannot be addressed by a change in either provincial law or in federal Criminal Code law, changes to the front-line services that provide the support that women need to allow them to leave abusive situation—unless we see that, it's going to be hard for me to believe that this is a government which is serious about making domestic violence a priority.

I would be—saddened is not a strong enough word—on behalf of the women who were represented through the coalition, on behalf of the women who have found the courage to leave abusive situations and sought shelter only to find themselves unable to establish independent lives and have had to return to abusive situations. I would be horrified, distraught, to think that the government feels they have addressed the issue of domestic violence with these two small steps to change legislation.

I would hope that, accompanying this legislation as the debate goes on, we'll hear significant announcements from the government to address the real issues that will prevent the victimization of women who are victims of domestic violence.

1720

The Acting Speaker (Mr Michael A. Brown): Questions and comments?

Ms Lankin: I am in complete agreement with the comments that have been made by my colleagues in the official opposition. I believe that the essential nature of this bill is such that it affects such a small segment of activity in the criminal justice system with respect to domestic violence, and the criminal justice system is of help to such a small segment of abused women, that its impact will be negligible.

I wish that we were having a debate about restraining orders—now we're calling them intervention orders—versus bail orders, versus peace bonds, and understanding—and I wish I had faith that the government members understood—that this is at the lowest end of the list of priorities for the criminal justice system. I wish we were having a discussion about the May-Iles recommendation that the Attorney General actually initiate education programs for judges and justices of the peace so that they don't release on bail people who pose a safety

risk. The Attorney General says, "They're independent. We can't do that." But as pointed out in the coroner's inquest jury recommendations, the Attorney General has done that with respect to aboriginal justice issues. Why can't we have the debate and hear from the Attorney General why he won't enact that recommendation?

I wish we were talking about the Solicitor General sending out standards of practice to municipal police forces to direct that it should be the rare circumstance in which an accused abuser would ever be released under an order from the officer in charge, yet that was the very first instance of Gillian Hadley's killer. What happened? Released by the officer in charge, with conditions which he violated; released again on bail, with conditions which he violated; and he went and killed Gillian Hadley.

I wish we were talking about directions from the Attorney General to crown attorneys that they insist on a risk assessment being done before a show-cause bail hearing, that they adjourn the bail hearing until the risk assessment is done and that the person be detained in detention until the risk assessment is done. I wish we were hearing that there were more than two risk assessment units in this province, that that was being expanded so that we can actually have information—good, solid information—being presented to the judiciary as to whether this individual constitutes a risk or not. Instead, we have a commitment to ask the federal government to change the onus of burden with respect to safety risks at a show-cause hearing.

That's OK. There's stuff you could be doing. You're not. I'd like answers to that.

Mr David Tilson (Dufferin-Peel-Wellington-Grey):

Most of the members from the Liberal caucus have talked about violence against women, and indeed in domestic violence that is a large percentage of the violence in today's society, although I was telling some of my colleagues in an aside that I was in a shopping plaza the other day and I saw this woman beating her child—not beating her child but striking her child.

So there's all kinds of domestic violence in our society today, and a lot of it's unexplained. A lot of it can be predicted; we hear of repeat types of offences and how those things should be dealt with. There are a number of situations where there is no sign of mental illness, there's no sign of violence, and families are killed. They're just wiped out, which is just horrifying.

We had an instance in my riding just outside of Orangeville a few years ago where some man killed his wife, killed his children, killed his dog, set the place on fire and killed himself. There really wasn't too much sign of mental illness or violence. So clearly we have a problem. I don't think the Attorney General thinks that this bill is perfect. There may be room for improvements, but it is a start and it's a good start. I'm pleased that members of the opposition, at least those who have spoken thus far, have indicated that they're going to support this bill. We've got a long way to go. I guess the only comment I could have to the various members who have spoken is that it's not just violence by men against women; it's all

domestic violence. That's what we have to attend to and that's what this bill is dealing with.

Mr Michael Gravelle (Thunder Bay-Superior North): I want to compliment and indeed thank the three members of my caucus who just spoke—the members for St Paul, Hamilton Mountain and Thunder Bay-Atikokan—for their insightful and very sensitive remarks because what is incredibly clear is that so much more needs to be done. This government needs to be persuaded, obviously, that while this legislation—yes, we are inclined to support it, because the law-and-order measures that are in it I think are necessary, but they need to clearly understand that they need to be in addition to, rather than an alternative to, the community investments that we know are needed in terms of emergency shelters, in terms of rape counselling lines, in terms of second-stage housing.

That's what probably frustrates us the most on this side of the House: we've watched over the last five years the government essentially eliminating so much support for those women who most desperately need it. As my colleagues pointed out—certainly the members for Hamilton Mountain and Thunder Bay-Atikokan—the vast majority of women in this situation do not even report the abuse because they are terribly conscious of the fact that they don't have a real alternative in terms of their own future. They don't have the real belief that they can actually develop an independent life, and that's because the support system is not in place. That is absolutely something that this government has some responsibility to try and deal with.

It did begin with the cut of 21.6% from the social assistance payments back in 1995, the first decision this government took, and it continued with the cutting of funding to women's shelters and the elimination of support for second-stage housing.

There is absolutely no question that we need to make this government understand that while we are inclined to support this bill, there is so much more that needs to be done and so much more understanding that needs to be there, and we are going to continue to call on them to bring that stuff forward.

Mr Martiniuk: I've listened intently to the excellent comments made by all in regard to this debate. One thing this bill does—I've already given a number of things it does but one important thing it does is educate. I think it shows the intent of not just the government but of this House that the crime of domestic violence is repugnant and will not be tolerated by our society.

It comes to mind because a little while ago I was having a discussion, not in regard to this bill but about domestic violence, with a lawyer, not a member of the public. This person said something that was a little strange. He said that domestic violence was of a different character than an ordinary assault. He meant that it was somewhat diminished and that it was somehow excused or that it somehow was to be understood, whereas violence on the street was not. That made me think that if a lawyer with some experience can have that type of train

of thought, then we do have a long way to go in educating the public so they can understand that domestic violence is repugnant. It is worse, in my opinion, than a criminal assault. It should be treated seriously and perhaps has not been treated as seriously in the past as it should be.

The Acting Speaker: Response?

Mr Bryant: I was hoping to hear from the government side something to the effect of, "No, of course not, this isn't our only response. We're not just going to announce, pre-announce and reannounce about domestic violence courts. We're not just going to pass an act which addresses a few due process issues for the small minority of victims of domestic violence who actually turn to our criminal justice system. We're not going to abandon the victims of domestic violence." But I didn't hear that. Instead I heard that domestic violence is repugnant. I would hope we all agree on that. We don't need to have a bill to present an occasion to say that. What we need, and what we in the official opposition are calling for, is simply that the government stop devoting all its efforts on this topic to dealing with the matter of retribution and instead start trying to prevent domestic violence.

1730

Again, there's no real magic to trying to figure out how we do that. We have a report that was specifically commissioned by the Attorney General to deal with all the recommendations from the Arlene May inquest. Let me read the words of the chairman as I wind up. Madam Justice Lesley Baldwin said, in the Baldwin report that's been gathering dust on the Attorney General's desk for a year now, "In presenting our implementation plan, we are calling upon the public, partners in the justice system, government ministries, social service agencies who provide services to victims and perpetrators, educators and health care professionals to recognize and provide protection to victims of domestic violence."

This bill doesn't do that. This bill, again, responds to a problem. I'm sorry to say it's another Band-Aid. I look forward to and hope that the government will revisit this issue in a serious and substantive way. Stop talking about blaming other levels of government. Stop talking only about response. Start doing what the committee recommended.

The Acting Speaker: Further debate?

Ms Lankin: Just moments ago in this Legislature, the member for Dufferin-Peel said that domestic violence is not just about male violence towards women. Those words chilled my heart. What's behind that statement? What does that mean? Why is that a focus to bring to this discussion? If there is not, among the members of this Legislative Assembly, an understanding of the unique and heinous nature of domestic assault and of intimate femicide, how can the women of this province have any hope or any faith that the legislators of this province, the people who enact the laws of good governance, understand the root causes or the measures that need to be taken to prevent further such actions?

Is it because we allow this group of abused women to be nameless and faceless? I have a number of remarks I want to make to the legislation, but that remark said to me that we cannot allow them to be nameless and faceless women.

On March 8, 1996, Arlene May was murdered by Randy Iles. There was a coroner's inquest into that. On July 2, 1998, the recommendations of that jury came forward. I've often heard claims of huge percentages—80% and 90%—of those recommendations having been implemented by this government. That's debatable. It's truly debatable. But if it were the case, what has been the result in Ontario?

Let's remember. Let's not allow them to be nameless and faceless.

Leslie Williams, 32, Niagara Falls, July 1998: Leslie was found in her home, dead of head injuries. Her husband's body was later pulled from the Niagara River. He had jumped from the Horseshoe Falls.

Beverly Gillett, Scarborough, July 1998: Beverly died from stab wounds to the neck. Her husband has been charged with second-degree murder. A neighbour rescued their 2-year-old granddaughter and carried her out of the house to safety.

Linda Vickery, 38, Toronto, August 1998: Linda died of multiple stab wounds. Her body was found in the kitchen of her apartment. Police issued a warrant for her boyfriend's arrest.

Elizabeth Bodnar, 61, Mississauga, August 1998: Elizabeth was found dead in her townhouse. She died of massive head injuries. Her 75-year-old male companion, Steven Orban, was charged with second-degree murder.

Jennifer Copithorn, 24, Bowmanville, August 1998: Jennifer was ambushed and stabbed to death in front of her co-workers on her way to work. Her former boyfriend, Robert Appleton, was charged with first-degree murder.

Anna Pietras, 38, mother of one, Etobicoke, September 1998: Anna disappeared after leaving for work. Her body has not been found. Her estranged husband was later found dead of a self-inflicted gunshot wound.

Barbara Teske, 38, mother of two, Hawkesbury, September 1998: The remains of Barbara's body were found in a ditch on a rural road not far from her home. Her husband, Peter Teske, was charged with second-degree murder.

Mitzi MacDougall, 27, Red Lake, September 1998: Mitzi was drowned in the bathtub of her home. Her husband, Kenneth J. MacDougall, was charged with first-degree murder.

Micheline Cuerrier, 25, Wakefield, October 1998: Micheline was slashed to death as she was on her way to work. Her ex-boyfriend is charged with first-degree murder.

Kathleen Hart, 35, mother of one, Toronto, November 1998: Kathleen was beaten to death in an alley in the financial district of Toronto. Her companion, Martin Blackwind, was charged with second-degree murder. The couple was homeless.

Mandana Rastan, 43, mother of two, Richmond Hill, December 1998: Mandana was strangled in her home, where police also found her husband with a self-inflicted stab wound to the chest. Medhi Merkhandan was charged with first-degree murder.

Janet Anita Reynolds, 31, Scarborough, January 1999: Janet was found shot to death in her apartment. Her boyfriend, Steven Morrison, was charged with second-degree murder.

Brenda Chillingworth, 38, mother of two, Lucan, January 1999: Brenda was found shot to death outside a home north of London. A man found nearby was not identified. Police believe the deaths were a murder-suicide.

Betty Higgins, 69, Niagara Falls, January 1999: Betty was severely beaten and died later in hospital. Her partner, Govril Durciul, was charged with second degree murder.

Elena Nusca, 50, Hamilton, February 1999: Elena was stabbed to death in her home. Her husband, Mario Nusca, was charged with second-degree murder.

Shirley Taylor, 36, Sudbury, February 1999: Shirley died from loss of blood as a result of a cut artery in her neck. Her common-law partner, David John Saunders, was charged with second-degree murder.

Renate Marie Steinhoefer, 66, Manitoulin Island, February 1999: Renate was shot to death. Her husband, Mathias Steinhoefer, was charged with first-degree murder.

Maria Wong, 44, Markham, February 1999: Maria was found stabbed to death in the garage of her home. Her husband, Shu Kwan Wong, was charged with the crime in August 1999. Police allege he hired several people to carry out the murder.

Heather Burton, 43, Bond Head, March 1999: Heather was shot to death. Her husband, Bill Burton, then killed himself.

Sandra Quigley, 32, Scarborough, March 1999: Sandra was found dead of asphyxia in her apartment. Anton Franz Lorenz was recently convicted of second-degree murder.

Melissa Pakowski, 21, Thornhill, April 1999: Melissa's body was found in a van after a traffic accident. She had been shot to death. Her ex-boyfriend, Peter Morrissey, was found in the van with self-inflicted wounds.

Sabrina and Nassima Benkartoussa, 34 and 37, Toronto, April 1999: Sabrina and her sister were slashed to death in their high-rise apartment. Sabrina's estranged husband then jumped to his death. Sabrina was the mother of a seven-month-old baby. Her husband had recently been arrested for assault against Sabrina and was under a court order not to contact her.

Halina Deborah Abraham, 30, mother of one, Scarborough, April 1999: Halina was found dead in a parking lot in a van with her ex-partner, Anthony Alfred Williams, who had committed suicide. Williams was on parole at the time.

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Katherine Wellwood, 54, Cookstown, April 1999: Katherine died of a gunshot wound. Her husband of 31 years, Geoffrey Allan Wellwood, was charged.

Abigail Manu-Acheampong, 31, Mississauga, May 1999: Abigail was found dead in an apartment but police could not identify the cause of death. Her husband, Charles "Stanley" Gray, was charged with second-degree murder.

Donna Theresa Young, 32, Hamilton, June 1999: Donna was strangled to death in the dining room of her home. Her husband, Rodney James Young, was charged with first-degree murder.

Cindy Stevens, 35, mother of two, Niagara Falls, June 1999: Cindy was found dead in an apartment by her teenaged son. Her common-law partner, James Anthony Hannah, was charged with first-degree murder.

Marjorie (Marg) Ellis-Byerly, 58, Pinewood, August 1999: Marg was found dead of a gunshot wound. Her husband, Norman Byerly, was also found dead of a gunshot wound, along with another man. Police believe it was a double murder-suicide.

Jenny Figueroa, 32, Toronto, August 1999: Jenny's body was found stuffed in a suitcase and dumped off Highway 401 near Kingston. Her boyfriend, John Errol McLeod, has been charged with second-degree murder.

Christine Norcia, 22, Toronto, October 1999: Christine was stabbed to death. Her boyfriend, Nicola Capparelli, was charged with first-degree murder.

Dori-Lynne Carroll, 30, mother of two, Thunder Bay, October 1999: Dori-Lynne was found strangled in her home. Her two children were asleep in their bedroom at the time. Her estranged husband, Bryan Carroll, was later found in his truck, dead of a self-inflicted shotgun wound.

Robin Pope, early 50s, St Catharines, October 1999: Robin was stabbed to death on the front step of her home after a man tried to break in. Her ex-boyfriend, Michael Juanetty, was charged with first-degree murder.

Valerie Lucas, 23, mother of two, Oshawa, December 1999: Valerie was shot point-blank three times in a parking lot where she had gone to provide child access to her ex-partner. Robert Richard Bateman was charged with first-degree murder. He fled the scene with the children and later turned himself in. The children were found later in a hotel room and turned over to child welfare.

Shirley Liu, 28, Toronto, January 2000: The body of Shirley was found slashed and stuffed into a suitcase. A warrant was issued for the arrest of her boyfriend, Charley Cai, who disappeared after the murder.

LaMura Meere, 75, Sarnia, January 2000: LaMura was beaten to death. Her husband, Arthur Meere, was charged with second-degree murder.

Colleen Richardson Luciano, 33, Woodbridge, January 2000: Colleen was stabbed to death and her body dumped in a dumpster. Her husband, Michael Luciano, was charged with second-degree murder.

Fengzhi Huang, 36, mother of one daughter, seven, Kanata, February 2000: Fengzhi was strangled to death. Her husband, Yonsheng Liu, was charged with first-degree murder and then released on bail. Her daughter was placed in the care of child welfare.

Hermoutie Raghunauth, 28, Pickering, mother of one, May 2000: Hermoutie was poisoned on Mother's Day. An autopsy showed that she was pregnant with her second child at the time. Her husband, Ganeshram Raghunauth, was charged with first-degree murder two months later.

Harjaap (Jay) Bolla, 29, Mississauga, June 2000: Harjaap was stabbed to death and then moved to a van, which was then set on fire. Balbir (Bobby) Singh, her ex-boyfriend, then killed himself in the van by fire. Singh had been charged with criminal harassment and was under a peace bond not to go near Harjaap or her family.

Gillian Hadley, 35, Pickering, June 2000: Gillian was shot to death in a desperate bid to save herself and her baby on a street in Pickering. Her ex-partner, Ralph Hadley, dragged her back into her house after neighbours took her child to safety, then killed her and himself. Ralph Hadley had breached several court orders and was out on bail on charges of assault, criminal harassment and breaching orders.

Bohumila Luft, 27, and her four children—Daniel, seven, Nicole, five, Peter, three, and David, three months—Kitchener, July 2000: Bohumila was stabbed to death. Her four children were then shot to death. Her husband, Vilem, then shot himself.

Laurie Lynn Vollmershausen, 35, mother of two children, Stratford, July 2000: Laurie was stabbed to death. Her two children, aged eight and 10, ran from the house to get help before the murder. Police found her partner, Joseph Theodore Willemsen, in the house with self-inflicted, but not life-threatening, wounds. He was charged with first-degree murder.

Jennifer Zumach, 21, mother of one child, Orangeville, January 1999: Jennifer was missing since early 1999 but was not found until September 2000 when her head was discovered in the box on the back of her ex-partner's motorcycle. Her remains were later found buried. Her partner, James Vernon Randall, who reported Jennifer missing, was charged with first-degree murder.

Do you think this bill would have saved one of those women's lives? Do you believe it is good enough to wrap a mantle of a law-and-order justice response, when you're being told over and over and over again by the experts in the field, the women who themselves are abused, the women who are on the front lines working with them, that that isn't going to help save women's lives? Do you think it's appropriate to rattle off a long list of all of what you call accomplishments? In one of the lists I heard one of the members talk about money being invested. It was core funding that had been in place for years that was actually reduced under your government, and still annualized funding hasn't kept up with the need or the times.

And yet you've the gall, in the face of the nature of this issue, to misuse that kind of information to present a

picture to the public. Of course, we can never do enough. That shouldn't be an excuse for inaction. I hear minister after minister after minister say, "There's more we need to do, but we're doing more than any other government." Bull. First, it's not true; second, there's a blueprint for action.

I'm not just talking about the women's coalitions that were here two weeks ago who put forward emergency measures for this Legislature to adopt and to implement this fall session. I will talk about that. But go back to July 2, 1998, after a coroner's inquest into the murder of Arlene May. Go back to the jury recommendations. Look to the recommendations you have refused to implement, that over and over again you've been called on to implement, that time and again I've raised in this House in questions to ministers, where I have never once had a minister respond to the actual question that was asked. I have never once had a minister say, "We're not prepared to do that and this is why." I have had ministers duck the questions. I have had ministers bring out their long list of all of your so-called accomplishments. I've had ministers quote statistics at me of what you have implemented from May-Iles.

What you won't do is answer the key question of why this government is not prepared to address the social community and economic security that women need, the power they need in their own hands to protect themselves.

Please tell me how this bill provides a response that even begins to be adequate, even begins to acknowledge the serious nature of this issue in our society, in our communities, in our neighbourhoods and in our families. Tell me how this bill does that.

Great fanfare, another great showpiece that you can stand behind and say, "We're doing something." It is almost inconsequential. What does it take to get people to wake up and say, "Let's do something different. Let's bring people around the table. Let's respond to the issues that have been put forward as the package of emergency measures to save women's lives. Let's have a discussion to understand the root causes and to see if our actions are actually addressing those root causes"?

1750

I want one government minister to tell me why they won't implement the measures that we have raised over and over again. I want them to tell me why they believe, contrary to all the expert advice—to the May-Iles recommendations, to the joint committee report recommendations, to the coalition of women's organizations out there on the front line—contrary to what they say, that this will save women's lives. You tell me why it won't. If you can't, how can you continue on, knowing that your could be doing something that will save women's lives?

I'm almost at a loss for words in trying to understand, in this parliamentary system, how we reach a government when the system has become so routine, so blasé. You know, this is just a leadoff speaker's debate. I got a request today from across the floor: "How many speakers

do you need? Can we wrap it up tomorrow? Can we get this thing passed tonight?" Why, because people are willing to say, "If there's a shred of something that's supportable, we'll take the step to support them"?

I wish we could create a forum where those women's organizations that came forward, that wanted to have an opportunity to speak to all three parties—I wish we'd create the forum where we all come together in the same room and where we listen, where we are educated, where we take that information and we say, "We're committed to doing something and we're going to act on it together." How, in this place, in this process of debate, do we cut through the partisan nature of how we react to issues, of how we criticize government, of how government defends itself, of how it spins out its information and we respond to that? How do we cut through that, when surely there are members in the Legislature on all sides who, like me, are sickened to hear that list, those names, to imagine those faces of women and children, to understand that domestic assault and intimate femicide is a reality in our communities? The fear, the horror that families are living in, that women are living in: that they are next; that their names and faces are going to be next on this list. And we respond with a bill that—I'm not criticizing your bill; like I said, it's almost inconsequential.

Please, is there a way that we can break through the great divide of how many feet across this floor and take the steps that are necessary? I'll do what it takes. I'll stop my public criticism on these issues if we can get a working table and bring the women to the working table and make some progress. I'm not the only one who feels this passion, and I am sure of that. Where are the rest of you? Do something. Speak up. Force your government to respond on these broader issues.

I've used only a portion of my time, which may, depending on when the bill gets called back, be shared with the member from Niagara Centre. I hope I have a further opportunity, however, to finish these leadoff remarks, or my part of them, to talk about the response that's needed. I've done it before in the House, but perhaps we have to do it one more time. Perhaps I will undertake to send a copy of the emergency measures to all members of the Legislature, so everyone's got it handy in their desk and can take it to caucus meetings and can raise the issue of an all-party approach.

Sometimes it feels like there is nothing left to say. Sometimes it feels like there is no way for your voice to be heard. I know that there are thousands and thousands of women in this province who feel like their voices aren't being heard. I hope collectively we might be able to open up and listen and do something about what they're saying. I'll continue when we next return to this bill.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1756.

Evening meeting reported in volume B.

ERRATUM

No.	Page	Column	Line(s)	Should read:
82	4301	2	45	tions as made by the member opposite today. I think they

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des débats
(Hansard)****Tuesday 3 October 2000****Mardi 3 octobre 2000**Speaker
Honourable Gary CarrClerk
Claude L. DesRosiersPrésident
L'honorable Gary CarrGreffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 3 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Resuming the debate adjourned on September 28, 2000, on the motion for second reading of Bill 112, an Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

The Acting Speaker (Mr Tony Martin): Questions and comments?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to speak highly of my colleague. I have to tell you that I thought she did a terrific job in speaking to the issues of culture in the province of Ontario and talking to us about the investments that the Harris government is making in culture in the province.

I also would like to remind viewership and the members opposite that this is certainly a special and unique circumstance, the McMichael art gallery, as a result of its financial situation. As viewership may know, we have an art gallery with a \$1.6-million debt. We also have an art gallery that's been plagued for years, since 1965, with controversy with respect to its mandate, with respect to the art it collects, with respect to a number of issues, and it's time to ensure that this art gallery is put on firm footing to be here and around for our children and our children's children. So it's with pride, actually, that I bring this bill forward, because I know that it will solve some of the situations that have existed within the art gallery.

I remind everybody that it's a unique circumstance because usually the government doesn't get involved in art galleries. But let me remind you that the taxpayers of the province donate, give, \$2.6 million to the art gallery every year, and of course this year they'll have to make an additional contribution because of the debt. They'll also have to make an additional contribution of \$2 million through the SuperBuild fund to ensure that the roof and the building are strengthened and have repairs done

that are needed. So this is no small contribution to the people of the province of Ontario, and as a result of that, as the minister responsible for culture, I have to be here to make sure that it's invested properly. That's what we're doing in this bill.

I'd like to thank the member from York North for her comments.

Mr Rick Bartolucci (Sudbury): I'm going to stand and take a little bit of a different approach. I believe that the minister is embarrassed by this bill. Rather than thanking the member, the reality is that we've spent approximately five days debating this bill, five days that could have been used for debate about very substantive issues, like Bill 6, An Act to protect Children involved in Prostitution, like domestic violence, bills that mean something to the people of Ontario as opposed to dealing with a bill that is patently, and without question, a sweetheart arrangement.

I believe that the people of Ontario want accountability. They don't want someone to get preferential treatment because they're not satisfied with 3,000 art pieces that particular person wants to get rid of in an art gallery, that is going to have serious ramifications on the economy with which Canadian artists try to make a living.

The people of Ontario want the government, the minister and the Premier to be accountable for passing legislation that is meaningful and protects the people of Ontario—the children of Ontario, the women of Ontario—not the pocketbook of a particular group in Ontario.

I'm telling the minister and the Premier that this is going to have serious ramifications for our Canadian artists. It is seriously going to undermine their ability to make a meaningful, fruitful living because of what this government is doing.

1850

Mr David Christopherson (Hamilton West): It really struck me to listen to the minister respond to the member's comments by saying—and I jotted it down—“Government doesn't normally get involved in things like this.” There's a reason for that. There's a reason that governments stay further away from decisions around collections in art galleries, in museums, things that reflect our culture. You may think your shared collective values over there on that side of the House reflect Ontario, but there are an awful lot of us on this side of the House who would beg to differ. It would also seem that there are an awful lot of artists and people who are involved in the

arts community who are equally concerned that your vision is not one that really reflects where Ontario is at.

If the artistic community was onside with this, it really would make it somewhat more difficult for us in the opposition benches to mount an effective opposition. We'd do our best, as you all know, and we would find things because very rarely do you get perfect legislation, but there wouldn't be the kind of passion that you're hearing on this side of the House. There is a reason the artistic community is so upset, and a large, significant part of it is exactly the issue that the minister mentioned when she was on her feet a few moments ago, and that is government getting too close to deciding what is art and what ought to be reflected in our art galleries, and in our museums for that matter. There's a real concern that you're getting us, as a government, as a Legislature, too close and that the distance that's been there in the past, the arm's-length relationship, has been healthy and that it's served us well. I think you'll continue to hear us raise that over and over this evening and any other opportunities that we get.

Mr Bart Maves (Niagara Falls): I'm pleased to comment on the comments by the member from York North. She did an excellent job in discussing this bill. She talked about the \$1.6-million deficit that's currently at the gallery. What she didn't say was that, at one point in time, the people who are currently running the gallery came and said they had a \$300,000 deficit. A couple of months later, they came back and, lo and behold, they were wrong. The accounting was bad and it was like a \$700,000 deficit. Then the minister sent in, I believe, an independent review and in actual fact there was a \$1.6-million deficit. That speaks to the gravity of the financial situation at the gallery, and part of this bill is that we will indeed fix that situation.

I'd like to quote from the member from York North because she was very poetic in some of the things she said. She said,

"I believe this legislation restores the purpose for which it was first created....

"We are not dictating artistic taste or freedom. We are dealing with a specific circumstance in a specific gallery. This is a unique situation. We are solving a financial problem and honouring the intent of the signed agreement, a unique agreement. By honouring this unique agreement, we are assuring that others who make agreements with the government will have them honoured as well."

I think that is vitally important. That is the difference between our party and the parties opposite. We intend that our word is our bond. What we run on, we implement. The public in Ontario has seen that. This is a situation where an agreement that was made back in 1965, I believe, was not honoured. This bill restores honour to that agreement.

The member went on to say, "We are not guardians of art. We are guardians of agreements made by former governments. We are the guardians of taxpayers of Ontario." I can't say it better.

The Acting Speaker: Response?

Mrs Julia Munro (York North): I certainly appreciate the comments made by the members for Huron-Bruce, Sudbury, Hamilton West and Niagara Falls.

I would just like to respond to those comments that reflect a notion that I think is flawed in that it is not an issue which is in any way undermining art in this province. I think those comments neglect the fact that, first of all, we're looking at a need for fiscal responsibility, the commitment, as the minister said, with regard to taxpayers' dollars and how those are used.

But to speak to the issue of the artistic community, the fears that have been suggested by those opposition speakers are simply not able to hold up to the test of this piece of legislation. It very clearly outlines the original mandate and returning to that original mandate. It is setting aside an institution that was initially clearly identified as one that was there to respond to a particular need in the artistic community.

I mentioned earlier that there are many institutions that have a narrow artistic mandate, and worldwide there are examples of ones which have functioned effectively and, frankly, this is a part of Canadian cultural identity that deserves this kind of special recognition. I think it's an important landmark in our history, in our cultural identity, that needs to be preserved.

The Acting Speaker: Further debate?

Mr Michael Bryant (St Paul's): I am pleased to join this debate on Bill 112, hereafter referred to as the McMichael mendacity bill. It basically flouts the rule of law. It engages in a moment of legislative retroactivity unprecedented in the history of Ontario. It amounts to an exercise of political interference in an area heretofore untouched by governments that, unfortunately, is consistent with the record of this government. I want to speak to all those points.

First, let's talk about the flip-flop. We've heard from the government benches about a promise made, a promise kept on a number of fronts. We heard from the member from Niagara Falls on honouring the original agreement. Look, the province of Ontario, this government, took the position in the courts—before the Supreme Court of Canada in 1989 and the Ontario Court of Appeal in 1997 and lower courts before that—that in fact the agreement between the McMichaels and the government was being honoured. That agreement was adjudicated before the highest courts and the final result was, after leave to appeal was denied by the Supreme Court of Canada, that the McMichaels' role was significantly reduced, as per the agreement. The legislation, the agreement that had been struck between the parties over the years, was said to govern their relationship, notwithstanding what the McMichaels thought the agreement ought to have meant. An independent arbiter, the Ontario Court of Appeal, said, "No, no, McMichaels, you're wrong. This is what it meant."

I want to go to the judgment in a moment, but let's just stop for a moment and think: how on earth can the government say that they're honouring a promise, how

on earth can the government pay lip service to the idea of a promise made, a promise kept when in 1998, they were taking a position which was in opposition to the McMichaels to the effect that an agreement was made and the McMichaels' role was significantly diminished in terms of influence over decisions made by the gallery? Yet here in the year 2000, they're taking the exact opposite position. They are, in effect, now supporting the position that the McMichaels took in court.

I have not yet heard the justification from the government as to why they flip-flopped. Why did they change their minds? Why did they go to all the trouble? And let's be serious about this. It is expensive to take these things through the courts. The government took a position. They said, "No. This is what we think is the honourable position for the crown to take." It went through the courts. The McMichaels had the finest lawyers in the country as their counsel, we had the finest counsel in the Ontario Ministry of the Attorney General as our counsel, and Ontario won.

Now, after going through all that exercise, they've taken the opposite position, with no principled reason for engaging in this moment of legislative retroactivity whatsoever other than to take a position opposite to what they had taken just two years ago. It doesn't make any sense whatsoever. It's an unprincipled political interference with the gallery, an unaccounted for flip-flop which leads everybody to speculate and suggest that maybe this is some horrible political sweetheart deal, because we have nothing else to conclude.

1900

In any event, the first problem: it flouts the rule of law, as I said, ignoring everything that the courts have said. Of course, Legislatures get the last word and I'm not doubting that for a second, but why would you take one position in court and then the opposite position in the Legislature? It makes no sense.

Second, we're turning the clock back here. This is adopting a static view of culture, trying to give back to the McMichaels a 1965 vision of art and culture, a curatorial vision for the gallery, instead of the dynamic view of culture and art that had been adopted by a far more diverse board, and I mean diverse in terms of opinion. Why are we turning the clock back?

Again, we have no principled reason. We're given a fiscal reason, something of great concern to all members of the House, and nobody is suggesting for a moment that the government not do something about the fiscal problems. But what the government is doing is the equivalent of saying, "We raised the debt by \$20 billion—well, let's transform the province into a constitutional monarchy." One has nothing to do with the other in this case. It's a total non sequitur to suggest that we ought to give curatorial powers to the McMichaels and set forth an official culture of Ontario in order to deal with a fiscal problem.

The political interference is probably what upsets most people in the artistic community and ought to concern us. I'm going to quote from Trudeau. In many ways it's not

fair, on the day of his funeral, because his quotes are bulletproof, but I quote the idea as opposed to the man whom we honour today. Pierre Trudeau said, on October 8, 1976, in a House of Commons debate, "There are two official languages, but there is no official culture in Canada." Trudeau recognized, and let's leave aside the messenger for the moment, that culture is the last thing that the government ought to be imposing upon the public. Just as government shouldn't be interfering with the judiciary, government should not be interfering in matters of religion, nor should it be interfering in matters of culture.

This is obviously an incredible betrayal of all those who donated to the McMichael art gallery. We all know here, politically, the vast majority of Ontarians might say "Cry me a river for those donors." But the truth is that for a lot of those people, this was a part of their lives that they gave up. They very proudly wanted this part of their life in the McMichael art gallery, because it was a truly Canadian gallery, and there was a deal, an understanding about who had control and who was going to decide what to do with the art and where it was put, and whether or not it would be divested and, if so, how, or never at all. This deal was broken. There was a meeting of the minds when these donors gave to the art gallery. They had an understanding of what the deal was, and the government has come along and changed the terms of the deal.

It would be like the Harris government coming along at the end of a fundraising drive for the United Way and nationalizing the United Way, saying, "You know what? We're going to take those donations and spend them as we see fit." I'm betting that Mike Harris would use taxpayers' money in a different way than Anne Golden; I'm just betting that's the case. What of all those people who donated to the United Way—in this case all those people who donated to the art gallery? They don't want the McMichaels deciding how their art is treated and what is done with the gallery. If they did, that would have been another matter, but that wasn't the understanding at the time, and they certainly don't like the interference of this government. The government denies that there is interference with the gallery. Obviously, by giving the McMichaels the position you are giving them, you are necessarily interfering with the vision of the advisory committee. Now, instead of having a majority of the committee decide, you have the board deciding, and you've changed the structure of the board.

The government says, "Don't worry. We won't be interfering." Sometimes, especially in matters such as this, it's more the appearance of impropriety than the impropriety itself. The artistic community is up in arms and concerned, and has expressed that concern, through members of the official opposition, to the effect that this is unprecedented political interference.

I urge the government to reconsider. Honour the intent, look at the judgment, look at the position you took in 1998. I don't understand how the chief legal officer to this cabinet, the Attorney General, could have let this get through cabinet without saying, "This is a walking dis-

aster." It will be a walking disaster. The lawsuits will be legion, and it will all go back to the courts. To what end? Still we don't understand to what end—I guess misunderstanding by the misguided plumbers who came here, not to govern but to fix the government. I can tell you that you are not fixing this problem. You're not addressing the problem; you're making a mess of the McMichael art gallery.

The Acting Speaker: Comments and questions?

Mr Christopherson: It's my pleasure to offer my compliments to the member for St Paul's. I think he spoke to a number of crucial issues in a very confined period of time, which we now have these days.

He raised the issue of donors and what happens to what their desires were. This government is always talking about the fact that taxes are other people's money. Well, guess what? This isn't your art. It isn't your decision to make. Frankly, I think the member for St Paul's makes a really important point when he underscores the fact that people have donated to the McMichael gallery, not expecting that some future Premier would come along and make a decision otherwise. How does that tie in with your desire for communities to make decisions?

The member, who has a great deal of experience in the legal community, suggests that a lot of these issues are going to end up in the courts. I wouldn't be the least bit surprised if that is the case. How much more taxpayers' money, in addition to the money of the people who donated the art, will have to be spent preparing and defending this legislation in court?

From virtually every quarter, you're getting a lot of heat, and it's because people have legitimate concerns. One of the problems we have with this government, and we've seen it over and over, is that they only listen to themselves. Once they've had their little cluster meeting, their little decision about what they want to do, nothing else matters. Here is yet another example of that. There are going to be a lot of upset donors, and rightly so.

Mr Joseph Spina (Brampton Centre): It was clear that neither of these members listened or paid attention to many of our comments in the last few days, and particularly some of the comments I made, with respect to the advisory committee that is being created to choose the art. The advisory committee will be made up of Robert and Signe McMichael, the chair of the board, the vice-chair of the board and one other member elected at large by the board, to form a committee of five that will make recommendations to the board as to what sort of art they will be choosing to acquire for the exhibition.

Clearly, this does not indicate that the government is suddenly going to walk in there, choose the art, decide the humidity of the art gallery and all the other nonsense these people are spewing forth in their criticism of the bill. The reality is that power is being restored to the people who are most familiar with the artwork that the mandate of this gallery was created to be, that is, contemporary Canadian art, which includes aboriginal.

Interjection.

Mr Spina: And I don't need two minutes to tell you, Liberal member, that you're full of crap.

The Acting Speaker: I'm afraid you'll have to withdraw that comment.

Mr Spina: I withdraw the comment.

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Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I want to congratulate my colleague from St Paul's and to tell him I listened carefully to what he said and I certainly agree with him wholeheartedly. He said he wonders how this bill got through cabinet. I'm hearing more and more from people who know this situation far better than I that it probably never went to cabinet; it came through the Premier's office.

I've listened very carefully to what the minister said, both in the debate on second reading of Bill 112 and in question period. I want to say to the minister and to her ministerial colleagues that this bill is an outrage. If there are problems with the financial administration of the gallery, you've got a whole bunch of other instruments. You do not need the kind of retroactive and confiscatory measures that are contained and contemplated in Bill 112.

I want to say to people out there who are watching and to donors by the score who feel, as my friend from St Paul's has rightly observed, betrayed by this outrage: this bill smells like something that Maurice Duplessis and Huey Long would have cooked up on a bad day. I say seriously to members opposite and to the public, particularly donors, there's no indication this government is listening. So you know what I would recommend you do? Sue. Sue the pants off these people, because it's a breach of trust for no good reason.

I want to say to Bob and Signe McMichael, people I worked closely with on this file 20 years ago, that I am personally offended they are accessories to this outrage. It's a disgrace that this has been brought here. It's a disgrace that it's being supported by an apparently unanimous cabinet. I say again, because I am angry on the basis of what I'm hearing from people who are also angry, and they're much closer to it than I am: since it's clear the government doesn't care and won't listen, sue them. Sue them for everything you can. Because my learned friend from St Paul's is right: this bill will stand no test and no pressure in any self-respecting court in Ontario or in Canada.

Mr Michael Gravelle (Thunder Bay-Superior North): It's difficult to follow the member from Renfrew-Nipissing-Pembroke in terms of his level of passion, but I do agree with everything he says. This is clearly a bill that is entirely Mike Harris's decision. There's no doubt about it: the entire artistic community is absolutely outraged by this piece of legislation that should still be withdrawn. The minister needs to listen.

When I look at the government backbenchers speaking with their notes, they clearly have no recognition of the history involved in this situation. I'm also curious about what Bill Davis himself might think about this. Bill Davis, I understand, had a real hand in the original

legislation in 1972—I think it was Bill 175. What was written in that legislation was pretty clear. That was 28 years ago, and of course there has been subsequent action since then.

The legislation then said that basically the government's intention was to "agree that the role of founder director emeritus is an advisory one and that an equally important objective is to clarify the full and unequivocal responsibility and authority of the board of trustees in pursuing the objectives of the gallery." It made sense then; it makes sense now.

If the government members need to understand the importance of an arm's-length separation on decisions about what is appropriate to be put into an art gallery, then we really are in trouble. As culture critic, I've fought many battles previously with this government over their attack on the arts community in terms of their decision to privatize TVO, which we got them to back off on with our strong and aggressive battle to stop that. We saw them try to go after the public library system. But this may be one of the worst things they're doing, because they're trying to sort of slide it through, which I'm glad to say we're not letting them do. I'm proud of all my colleagues and everybody in opposition who is fighting this, because this is truly a bad piece of legislation that speaks incredibly poorly for this government. You will regret it, because we won't let it go. The entire community is opposed for very good reasons. You should be ashamed of yourselves.

The Acting Speaker: Response?

Mr Bryant: I guess I would urge members of the public, if they are looking for a contrast between the approach taken by the official opposition and the approach taken by the government, to read the speeches of the likes of the member for Sarnia-Lambton and, of course, our esteemed senior colleague the member for Renfrew-Nipissing-Pembroke.

I would also urge them, if they want what is probably the government's most intelligent view on this, to read the speech by the member for Brampton Centre, who I think adequately summed up the frivolous approach that this government is taking to an issue serious for legislators, particularly in the sense that we're turning back the clock through retroactive legislation, which we, under all circumstances, are always loath to do unless we can provide some very compelling justification for turning back the clock and breaking the deal.

What was the deal? The Ontario Court of Appeal said in 1998, and the Ontario government, this government, said in 1998, took the position in court, supported by Mr Justice Carthy, that "Mr McMichael contracted to retire from operative decision-making and to assume an honorary role, and he did so under the guidance of the best legal counsel in an agreement which is free of ambiguity."

The legal counsel, by the way, were J.J. Robinette and then Ian Binnie, now the Honourable Mr Justice Binnie. They've had their shot in the courts. Unfortunately in litigation there are winners and losers, and they lost. The

government of Ontario won. You took a position which was supported by the courts, and now you've taken a stance that is completely unjustifiable in principle, without any explanation whatsoever. People have to jump to conclusions that it has something to do with a sweetheart deal. I urge all members of the government to remove all these offensive amendments in this bill. If you want to deal with the fiscal side of it, we'll support that, but please end this mendacity once and for all.

The Acting Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join the debate on Bill 112. When you look at this situation from a historical perspective, in 1965, under an agreement between Robert and Signe McMichael, the province of Ontario and the Metropolitan Toronto and Region Conservation Authority, the McMichaels donated their collection of 177 works of art, property and land to the province of Ontario. The McMichael was established as a corporation under the McMichael Canadian Art Collection Act, 1972. The ministry provides \$2.748 million annually to the gallery for operating expenses. The ministry also provides \$250,800 in additional maintenance supports to the gallery.

The government's intent, through the legislation, is simply to return the collection to its original mandate, to honour the McMichaels' donation. Quite frankly, that was a very significant donation of art, if I may so say. This is a unique collection with a specific intent. The legislation would create a five-member art advisory committee that would decide which artists in the collection fit the mandate. The committee would make recommendations to the board about art at the McMichael.

The government seeks to restore the McMichael to its original purpose: to provide a home for the Group of Seven and similar artists. The government would not be controlling what exhibitions the gallery would or would not show. The board will determine what measures the gallery needs to take to bring the collection into conformity with the proposed legislation, and I have confidence that the board is more than capable of dealing with the issues that arise from its decision.

So there is essentially an art component to this legislation, which is going to be in the hands of a five-member art advisory committee to bring it back to the original intent of 1965, and a fiscal component, because quite frankly the provincial government does contribute significantly to the McMichael Canadian Art Collection.

That's essentially the twofold purpose, justification. In terms of input to the gallery, certainly it's going to be brought back to its original intent, and there's a fiscal component. I would say that our ministry and our government are proud of the role in supporting and sustaining it, helping to make it and to keep it a central part of what makes Ontario the best place in the world to live, work and invest and raise a family.

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We support the arts industries in a number of ways: by providing general operating funding; by creating special

funds and funding specific projects that serve a designated purpose and by creating a tax structure that encourages investment and creates jobs. Our funding for the arts industry is a good example of how we blend these three things. This year we're investing almost \$25 million in the Ontario Arts Council, an arm's-length agency that supports both individual artists and arts organizations. We're also providing more than \$11 million to the Art Gallery of Ontario, \$2.7 million to the McMichael Canadian Art Collection and \$944,000 to the arts service organizations. Those are just operating funds for the arts sector.

We've also got the \$50-million arts endowment fund; the \$20-million cultural attractions fund; the \$900,000 cultural strategic development fund; and Learning Through the Arts, a program run by the Ministry of Education through the Royal Conservatory of Music to help bring music to life in the classroom.

The Ontario Trillium Foundation invests between 10% and 20% of its annual \$100-million budget to the province's cultural sector, including the arts. Of course, we have pledged \$2 million toward the waterproofing of the buildings holding the McMichael collection.

Certainly arts play a tremendous role in any community. In my riding of Barrie-Simcoe-Bradford there's a facility being built by the McLaren Art Centre, tremendously supported through the community. It's going to be a facility that will encompass what the McLaren has come to mean in the city of Barrie. When you speak of that, that was a gift, the McLaren building and the McLaren collection, that was started out and given to the city of Barrie through a trustee arrangement. That's the way it got started and has blossomed.

As a government we can help our arts and cultural industries in two ways. We can provide financial support through our means and through our agency as I've just outlined. But we can do something else that's just as important. We can and do encourage the private sector to invest in our arts and cultural industries. The cultural industries—film and television, book and magazine publishing, commercial theatre and digital media—together provide more than 60,000 jobs and generate more than \$5 billion a year in revenue.

Some of the tools we have for encouraging growth in this important sector include the Ontario film and television tax credit; the Ontario production services tax credit; the Ontario computer animation and special effects tax credit; the Ontario book publisher tax credit; and the Ontario interactive digital media tax credit. Ontario is one of the largest film and television production centres in North America. The sector contributed a record \$934 million to the province's economy in 1999, up more than 25% from just a year earlier. Our best estimate is that these sectors combined employ 20,000 people.

You may be getting the impression that our film, video and digital media sectors are growing in importance and you'd be right. That's why in the 2000 provincial budget we also announced a \$30-million, five-year investment to

create the Ontario Media Development Corp. This new body will assume the functions of the Ontario Film Development Corp and the administration of the cultural industries tax credits.

Partnerships are not just the monopoly of the cultural industries, however. The arts industries, like the McMichael collection, also benefit by having partners through the staging of the exhibits and other functions, because there has to be a private sector component. As we look to the future, it's important to remember where we came from, to remember our heritage, of which the McMichael collection with its emphasis upon the Group of Seven is such a key part. This year the Ministry of Citizenship, Culture and Recreation is providing \$5.6 million to approximately 350 heritage groups.

As I said a moment ago, in an information age this vital sector can provide public access to knowledge of our past and can provide opportunities for lifelong learning. We're proud to have created the heritage challenge fund, proud of our ongoing role in providing technical advice in education for the heritage sector and municipalities. That too is what we are doing when we provide financial management advice to the McMichael in overcoming its deficit problems.

We're proud to provide \$2.7 million this year in operating grants for 167 community museums. These operations, large and small, rely on a small army of volunteers to keep them running, and they do so successfully. All together last year, these venues attracted a total audience of some 2.3 million people, equal to the population of Toronto.

We also demonstrated our support for the heritage sector through the Ontario Heritage Foundation to the tune of some \$2 million this year. The OHF plays a leading role in acquiring, preserving and maintaining properties and other assets in trust for all taxpayers.

We demonstrated our support through our investment in public libraries—\$29.6 million this year for libraries of all sizes in every corner of this province. Libraries provide a vital link to information in all its formats: on paper, on disk and on the Internet. Some 96% of Ontario municipalities provide for a library service. With more than 1,100 branches and outlets throughout Ontario, public libraries provide access to more than 29 million books for research, recreation and self-improvement.

Finally, we've got special programs that I want to mention. In 2000-01, the ministry is investing \$110,000 in the Trillium Book Award, the Ontario government annual prize for literary excellence. Past winners read like a Who's Who of the Canadian literary scene, from Margaret Atwood to Timothy Findley.

Then there's Ontario 2000, the province's program to mark the new millennium. Among its initiatives are a couple that really reflect the strength and diversity of Ontario's arts and cultural sector. The Ontario TimeShip 2000, which was displayed in my riding and throughout Simcoe county, was very well received. There's also a full list of arts and cultural activities taking place everywhere in the province throughout this millennium year.

In closing, that's strictly a quick overview of the province's arts, cultural and heritage industries and how the McMichael collection fits into the mosaic. But what they contribute to our province is just as important as what we contribute to them, if not more so.

I thank you, Mr Speaker, and I'm pleased to have spoken on this bill.

The Acting Speaker: Comments or questions?

Mr Conway: Let me just indicate to this Legislature that in the 10-year period between 1987 and 1997, this Legislature voted in excess of \$36 million from the Ontario treasury to support the McMichael gallery. That's roughly \$3.5 million a year. That is not taking into account hundreds of thousands, probably millions of dollars, from other sources like the government of Canada and many generous benefactors. That is 36, 37 million bucks we ourselves have voted as a Legislature to support this gallery.

And now what have we got? We've got the spectacle of Bill 112, where the Harris government in the year 2000 wants to legislatively reverse appeals it clearly won at the Court of Appeal two and a half years ago and to retroactively impose a set of conditions that may or may not have existed 30 years ago, to the clear detriment of many, many donors who in good faith through the years 1965 to 2000 made bequests to the McMichael Gallery that were supported not just by the Ontario public but by the tax-crediting mechanisms of Revenue Canada.

I want the House to understand that the Harris government went to the Court of Appeal to clearly argue a case that it won two and a half years ago. Now having done that, spent those monies, won that case, we've got Bill 112, which effectively seeks to reverse the victory won by Ms Mushinski and her colleagues at the time. It's just incredible. It is clearly a breach of faith for all of those people who have given generously of their art to this gallery.

One of the questions I have is: has anybody checked with Revenue Canada to see what the implications of this bill are on the gifting provisions that have helped with all of those donations over the intervening 30 years? I suspect not. More fodder for the courts, and the courts are going to be a lot busier with this bill than this Legislature appears to be wanting to be busy with it.

Mr Christopherson: I would say to the member from Barrie-Simcoe-Bradford that it seemed to me you spent an awful lot of time trying to talk around this issue and not a whole lot of time on this issue. As someone who constantly heckles, "Speak to the bill," I just thought I'd point out that that seemed to me to be the journey you were taking.

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I also thought it was interesting, to say the least, that you would introduce libraries into your discussion about arts and culture. I want to tell you, as a result of the downloading that you put on to municipalities, which was supposed to be revenue-neutral, the pressure on library budgets is something that has never been seen in the history of Ontario. I sat on the Hamilton Public

Library board for five years when I was a member of the local council. Yes, we had tough times but nothing like they faced when you came into power. We have branches that are closing. We have branches that aren't even open on a Sunday, because they can't afford to pay the staff to come in and open up the library. So you've got a lot of nerve in the context of Bill 112 to talk about libraries and to talk about books. There are those of us who haven't ruled out the possibility that book burning would be somewhere in your future if we continue to watch your attack on culture.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Ah, come on.

Mr Christopherson: I hear the honourable member across the way say, "Ah, come on." When we take a look at some of the things your government has already done, it's not that outlandish. But I do say it's outlandish for the member from Barrie-Simcoe-Bradford to be talking about what you've done directly to libraries when you've denied access by many citizens to those very books you talk about when you're attempting to defend Bill 112. You've done nothing positive for libraries and you're doing nothing positive for the artistic community with Bill 112.

The Acting Speaker: Comments and questions?

Mrs Brenda Elliott (Guelph-Wellington): Despite all the yelling and the theatrics and hysterics here in the House, I think it's very important for people to understand that this particular gallery, the McMichael gallery, is the single gallery in Ontario which was donated and had a special relationship with the province. It was donated and became a crown agency, with strings attached, and it is the only one. All of the other institutions in Ontario have a different arrangement, because they were instituted and run by the people of Ontario through various public bodies. This particular gallery is indeed unique.

The policy for acquisitions and de-acquisitions is the same as for other galleries. I think it's important for people to understand that whatever decisions are made, to keep the collection as it is or to change the collection, first of all, the decision will be made by the art advisory committee, not by government but by people who have an understanding not only of the concept of art but also of the investment involved with respect to those investments in the gallery.

Let's be reasonable: people who are involved in this project want to see this gallery thrive, as I'm sure they want to see other galleries do well. Their interest is heartfelt in heritage and in the integrity of the collection. I want that to be very clear.

My colleague across the way wanted to know why on earth would we want to have appealed and why would this finally be in legislation. Well, because that was the way it finally had to be resolved. It was very clear after the appeal that we couldn't allow the decision to be left within the judge's decision. This is something that had to be done through a mandated piece of legislation. In fact, the way the government viewed it at the end of the

decision was that each piece of art could potentially be subjected to court review, and that would not be the way we would want it in Ontario.

Mrs Marie Bountrogianni (Hamilton Mountain): I listened earlier to the minister responsible for this portfolio, and she said that for years there were financial difficulties and something had to be done, yet two and a half years ago you went to court and won an appeal that was exactly the opposite of what you're doing now. Weren't those financial difficulties significant then and, if they were, why are you doing the opposite now? I just listened to the attempt at an explanation, that that's just the way it had to be resolved. That's not good enough. You can understand why people are suspicious when you are going against what you won two and a half years ago. People of course are going to be suspicious. Donors have been calling, writing, e-mailing and saying, "What about our donation? We didn't know this would happen."

A few nights ago I was watching some of the coverage of the former Prime Minister's death and funeral planning and so forth on TV, and Mr McMichael was interviewed because he had hosted Mr Trudeau and his boys a few years ago. He was introduced as the owner of the gallery. I thought that was a curious slip. He really isn't the owner of the gallery, is he? If he was introduced this way, is this a done deal already? You can understand why people are suspicious of all this.

The other thing I find very disturbing, really worrisome, as important as the issue is behind what you are doing, is that we are spending so much time on this bill when there are so many other things we should be discussing: the discussion that we had earlier on domestic violence, discussions on long-term care, on the turmoil in our schools. Instead, we are spending days talking about an art gallery. This really was resolved two and a half years ago and is an individual situation that should be resolved by the board and not through legislation, which I believe is setting a very dangerous precedent. Surely you can understand why people are suspicious, and I really do hope you rethink and don't pass this ridiculous bill.

The Acting Speaker: Response?

Mr Tascona: I'm very pleased to respond to the comments made by a number of members in the House tonight.

Certainly the member from Renfrew is passionate in his argument about the financial aspect of what we are dealing with here tonight, but I quite frankly don't understand what he's talking about when he deals with the contribution level in terms of supporting the gallery. The support of the gallery is still in place.

I would invite the member for Hamilton West to come to my riding. Certainly we are increasing the number of libraries within my riding. In the town of Innisfil we are having a brand new library built through the efforts of the community. It's certainly strongly supported. The Barrie Public Library is in a very good position and is probably the envy of the province in terms of how it operates. It's a tremendous facility. So when we speak of libraries, I

haven't as much knowledge as the member for Hamilton West in terms of how libraries operate, but I don't have a negative view, the way he's talking about. I think he's extremely negative, but that's nothing unusual.

The member for Guelph-Wellington has indicated that the integrity of the collection is going to be maintained. Certainly the legislation will put in place what the original intent of the gallery was.

To the member for Hamilton Mountain, I am very pleased that she was watching television and was privy to what was happening at the funeral of one of our great Prime Ministers, but, quite frankly, she is suspicious, and I don't know what she is suspicious of. I wish she would outline what her problem is, because what we are dealing with here is provincial legislation that was originally enacted; we are dealing with provincial legislation that is dealing with that legislation. That's what we are here for, and that's what we are here to discuss tonight.

The Acting Speaker: Further debate?

Mrs Lyn McLeod (Thunder Bay-Atikokan): As I enter into this debate, I follow the comments of my colleague from Renfrew-Nipissing-Pembroke, who has expressed his outrage over this bill. I've listened to my colleague from Thunder Bay-Superior North, a former culture critic, who is completely frustrated by this bill. I have to confess to you that I'm more perplexed than anything else. I simply do not understand why this bill is before this House.

I know it has been said frequently, but I think we have to keep reminding ourselves that this bill has been brought forward by exactly the same government, led by exactly the same Premier, Michael Harris, that just—what?—three years ago was spending taxpayers' money going to court, and not only going to court, but going to Court of Appeal and spending more taxpayers' money going to Court of Appeal, in order to get a decision that clearly established the control of the board of trustees of the McMichael gallery. They won. They spent taxpayers' money on what at the time they appeared to believe was an important issue, in the public interest, in defence of the role of a board of trustees in making artistic judgments about the acquisition of collections in an Ontario and a Canadian gallery. They felt it was important. They felt it was important enough to pursue it in court. They won.

Now we have a piece of legislation which goes in exactly the opposite direction, establishing legislation that gives Mr McMichael essentially what he was looking for in that court case.

We've had no rationale offered to us by the government as to why they have had this sudden change of mind. The member for Guelph-Wellington said a few minutes earlier, speaking on behalf of the government, that this is not an issue that could be left for court review. It had a court review instigated by this very government. It wasn't a previous government—it wasn't the New Democrats, it wasn't the former Liberal government under David Peterson, it wasn't even the Bill Davis government—that went to court to defend the role of the

board of trustees; it was the Mike Harris government, and they won, at considerable taxpayer expense. So why is this legislation in front of us today?

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My understanding is that the primary purpose of the bill is to reinstate control, essentially, of the McMichaels, of the provincial government and indirectly, I suppose, of Michael Harris himself, as Premier. I think virtually every government member who has spoken to the bill has said that the reason it's here is because we want to return the McMichael gallery to its original purpose.

I don't consider this to be an unimportant issue. I happen to believe that the McMichael gallery is one of the finest galleries in this country and I think the purpose of the McMichael gallery is one which needs to be honoured. The purpose was to showcase Canadian art, to showcase specifically the work of the Group of Seven in that particular decade, as well as other Canadian artists who have made a significant contribution to the development of Canadian art.

The members opposite say, "We have to return to the original purpose." My question to them is, when have we ever seen a departure from the original purpose? Exactly what acquisition, exactly what piece of art in the current McMichael collection of some 6,000 works of art do these members oppose, in their political judgment—because I don't think any of us as politicians can claim to have artistic expertise—think is a departure from the original purpose of the McMichael gallery? Which piece of work in the McMichael collection does not make a significant contribution to the development of Canadian art? Tell me that and maybe I'll understand why we need a piece of legislation to restore the McMichael gallery to its original purpose.

I think of one of the more recent acquisitions in the McMichael gallery by a painter who happens to come from my part of the province, Norval Morrisseau. I suspect the members opposite would say, "Don't worry. The Morrisseau paintings that have been acquired by the McMichael gallery are not going to be some of the 3,000 that are likely to be disposed of," in we don't know what manner. After all, Norval Morrisseau is now recognized as the first of the woodland artists who indeed made a significant contribution to the development of Canadian art. But I have to tell you, when Norval Morrisseau started painting in Thunder Bay, there was very little value placed on a Norval Morrisseau painting. In fact, sadly enough, you could buy a painting from Norval Morrisseau for the price of a bottle of whisky. Norval Morrisseau might have been deemed, some 20 or 30 years ago, as someone who should not be in the McMichael gallery because he wasn't making a significant contribution to the development of Canadian art.

Who places the value? Who makes the judgment? Who would have made the judgment in the 1920s about whether these upstart artists, led originally by Tom Thomson, painting in a totally different style than any Canadian artist had ever painted before, wanting to shake up the art establishment of Canada, who would have

made the judgment that they were making a significant contribution to Canadian art? Would the Group of Seven themselves have passed this test that is now to be applied, this unknown test? Nobody has told us exactly what the criteria are that have been somehow breached by suggesting that the McMichael gallery is no longer following its original purpose.

This is not an insignificant issue, not only because it affects one of the most important galleries in this country but because it challenges some fundamental beliefs about who should be making artistic decisions about the value of art, not only in this province but in this country. That's why so many people who value art and value the independence of art from politics and from government are alarmed that this bill is here. Those people are not perplexed, as I am; they are much more outraged, as my colleague is, that government should end the arm's-length relationship which has been established and which this same government went to court to defend, and won, an arm's-length relationship that says a board of trustees shall be the ones that hold in trust the mandate, whether of the McMichael gallery or of any other gallery, in its purpose of making qualitative value decisions about the works of art that are to be acquired and displayed there.

I share the very real concern of people who know a great deal more about the value of art today than I could ever claim to, that politicians and governments will somehow be imposing their direction, or indeed that veto power will be given to single individuals over what constitutes a work of art that is making a significant contribution to Canadian art.

The other issue that has been raised and one that I think is very serious is that the government hasn't addressed the question of what will happen to the 6,000 pieces of art that are now in the McMichael gallery collection. Again, because nobody has said what criteria have been breached, none of us know, as this new approach is being taken, if this collection is to be somehow scanned and analyzed according to a criterion that nobody has set forward. Will it be a criterion that is a personal value of the McMichaels? Will it be a criterion that is something that the Ontario cabinet for some reason has decided to impose? Whatever the criterion is, wherever it comes from, as this new criterion is applied to these 6,000 works of art, what happens to the ones that don't meet the target, that don't meet the standard, that are somehow seen to not have been contributing to the development of Canadian art?

It's been suggested they may be auctioned off, that the dollars the government would get from auctioning off let's say 50% of those—3,000 pieces of art—would be a significant contribution to the government's coffers. My colleague from Renfrew-Nipissing-Pembroke has said that in fact what will happen is the government will spend a great deal of money in court, once again defending itself against lawsuits from people who have contributed those works of art to the gallery.

There are no answers from the minister. The minister says she's not going to auction them off. Tell us,

Minister, what's going to happen to the 3,000, or however many, pieces of art? How many pieces of art does the minister expect will not meet the criterion, and if she knows that, could she please tell us what the criterion is? Could somebody on the other side of the House, preferably the minister, tell us why this piece of legislation is before us tonight? Why has the government changed its mind only three years after going to court to defend the principle of the board of trustees being entrusted with the carriage of the mandate? Why is the McMichael gallery now seen to be in breach of its original mandate? What works of art are going to be deemed to not meet the mandate of showcasing Canadian artists who have made a significant contribution to the development of Canadian art?

I would feel considerably more comfortable and considerably less perplexed tonight if I had any answers to those very simple questions.

The Acting Speaker: Comments or questions?

Mr Christopherson: I want to commend the member for Thunder Bay-Atikokan on her remarks. She touched on a whole host of issues. But I think there's more and more attention being paid this evening to exactly what happened in that court case. There really is an obligation on the part of ministers here in the House, other ministers and, with respect, the government to explain why the flip-flop, why you went and defended one position. You were victorious in winning that position and then the same government brings in legislation that takes us back to the court decision that you appealed. I don't think we've had an adequate explanation of why you've changed.

And it's a significant change. You were defending language that said "and other artists who have made, or make, a contribution to the development of Canadian art." That was the position you defended. Now you're bringing in legislation that effectively wipes that out. Like much of the direction you go in in other pieces of legislation, you're attempting to roll the clock back. That's obvious. What you're doing is obvious. What's not clear is why. What exactly are the fundamental values that have changed, that have caused you in the course of a couple of years to completely flip to flop?

The government has the next opportunity for a two-minute response. If there is a two-minute response the minister can give that explains this, I urge her to please do so.

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Hon Mrs Johns: I want to be very clear. I hear everyone saying, "What's the government going to do with the art?" The government is not doing anything with the art. The government is setting in place an art advisory committee with five people on it, two being the McMichaels, one being the chair, one being the vice-chair and the fifth person elected by the board, who will sit on this advisory committee. They will decide what constitutes art as a result of the parameters that were set out in the bill. They have the ability to do that. That is their role in this particular task. They're selecting what the art will be.

The board, on the other hand, will be there to ensure they will make decisions with respect to acquisitions and deacquisitions. I think that's a really important thing to recognize.

Interjection.

Hon Mrs Johns: What am I going to do about that? I'm not doing anything, as the government, about that. We're letting the board decide what they should be doing with respect to art.

Let me remind you that the bill is quite clear, as were the bills in 1965, 1985 and 1987, that the art collection, now known as the McMichael Canadian Art Collection, was to display distinctive Canadian art reflecting the cultural heritage of Canada and the images and spirit of the nation, focusing on those artists known as the Group of Seven and their contemporaries.

Let me say very clearly—

Mrs Elliott: It doesn't get much simpler.

Hon Mrs Johns: It doesn't get much simpler than that, as my colleague says. The board will decide what happens with this collection. It's not the government that will decide. The art advisory committee will decide what the art will be that will be held. We have to say that you have to remember that we want this art gallery to continue and we're going to ensure that it does by giving it a clear mandate, by ensuring that it has the dollars to be able to continue and by ensuring that the people of Ontario are proud of its existence as it continues forward in the future.

The Acting Speaker: Further comments or questions?

Mr Conway: Let us review very directly what the Court of Appeal said when the Harris government took this case to it two and a half years ago. The Court of Appeal was very clear in its finding. It said, "This court dismisses the McMichaels' application and argues that the McMichaels contracted out any right of control over the collection." You went to court, you put the question and you won the matter.

Look at the court case as well. Look at the sworn testimony of people like Cicely Bell and Allan Taylor, two outstanding Ontarians with whom I've not always agreed; look at what they said was their experience in the 1980s. You are now going to, by Bill 112, return us, the arts community, that gallery and God knows how many taxpayers and donors to the very quagmire about which they complained in the court case that you won.

I say this as somebody who stood here and fought for Bob and Signe McMichael 20 years ago.

Hon Mrs Johns: Oh, yes.

Mr Conway: Why do you say, "Oh, yes"? If you and Rob Power want to have a chat about it and litigate, why don't you do so? I want to say to the minister you won the case, and look at the case you won. Look at the testimony of people like Cicely Bell and Allyn Taylor. They said there were real problems, and you are going to legislate a return to that very construction of difficulty and problems and maladministration. I am quite prepared to say to the government that it's right to deal with financial problems.

Interjection.

Mr Conway: I absolutely say to the government and to the Legislature, you can and should do that if you think you must, but Bill 112 is profoundly bad, wrong-headed legislation because it is so obviously retroactive and confiscatory and so clearly breaks the faith with donors and so clearly violates and upsets a case you yourselves won in the higher court in Ontario but two and a half years ago.

Mr Maves: Are we in two-minute rotation or ten-minute debate?

The Acting Speaker: You have two minutes.

Mr Maves: It's going to be a pleasure of mine in about a minute and 45 seconds to join the debate. The members opposite continue in their speeches and in their two-minute quotes to ask the minister to stand in her place and explain things—explain where some of the art may end up, explain who's going to make decisions about the gallery, explain other decisions. The minister, day after day and night after night that we've been in this Legislature, continues to do that with great aplomb and great accuracy.

The members opposite don't seem to want to accept that. They want to drag this debate out as long as they can. The members opposite continue to rant and rave and use the term "breach of faith." When I speak in a few minutes at more length, I think we should look at the history of this. I intend to point out who exactly did have a breach of faith. The member opposite who continues to use that phrase I think was in the cabinet of the government of Ontario in 1989 when a breach of faith occurred. I will outline that.

I want to commend the minister for being in here, I believe, for every minute of debate on this bill. As I said, every time the members opposite ask her for an explanation, she rises to her feet and gives a thorough one, so I commend her on that.

Mrs McLeod: After the minister's response to my comments, I am now outraged. The minister said, "We're not changing anything here. We're just setting up a special advisory committee that's going to determine what constitutes art." We said, "What is the government going to do?" She said, "The government isn't doing anything."

Minister, you are changing all of the rules, the very rules you went to court to defend. What do you think the board of trustees of the McMichael gallery has been doing? They are the body that has been determining what constitutes art. If you think they have not been making the right judgments, then you would set up a special advisory committee so they can decide what constitutes art.

That's exactly what you're doing. You're saying that the board of trustees is making decisions that you do not believe are valid decisions in judging what constitutes significant Canadian art, so you're going to set up your own special advisory committee. Your government went to court to defend the right of the board of trustees to

make those decisions and this legislation changes all of that. Don't tell us tonight that you're doing nothing.

But what really has me outraged is that I thought I could take this legislation for what it says. The minister has just stood up—now I understand why all the members of the government side are saying they want to restore the original purpose of the McMichael gallery. The original purpose of the McMichael gallery, as it was always understood, was to showcase Canadian artists, the Group of Seven and their contemporaries and other artists who have made a significant contribution to Canadian art. The legislation, this new bill that changes the rules of who makes those judgments, still says that the gallery will showcase the work of the Group of Seven. It details the Group of Seven and, on the other page, which maybe the minister hasn't read, it says "and other artists who have been designated ... for their contributions."

She says it's to be the Group of Seven and their contemporaries. That's what Mr McMichael always wanted it to be and that's what this government is taking it back to.

The Acting Speaker (Mr Michael A. Brown): Further debate?

Mr Maves: It's a pleasure to rise to add to the debate. As I said in my two minutes, I wanted to talk about the members opposite who continue to accuse this government of a breach of faith in regard to the McMichael collection. If any party is to be accused of that hypocrisy regarding the McMichael collection, it is the Liberal Party opposite.

The Acting Speaker: Will you rethink that word?

Mr Maves: Sure, I'll rethink it.

The Acting Speaker: Withdraw it.

Mr Maves: Yes, I will. If it offends the Speaker, I withdraw it.

Let us briefly review the history of the flip-flops and betrayal that have so clearly marked the Liberal vision for the McMichael collection.

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In 1965, Robert and Signe McMichael signed an agreement with then Premier John Robarts that gave the province their art collection, their home and their property. They did so for the purpose of creating a permanent and lasting tribute to the work of the Group of Seven and other artists who have contributed to the development of Canadian art. The key phrase in the 1965 agreement, section 13, read—

Interjections.

Mr Maves:—and of course the members opposite are rising to a cacophony. They can't listen to anybody else; they've got all the answers.

The key phrase was section 13: "The crown shall...develop and maintain in perpetuity...a collection of art reflecting the cultural heritage of Canada, (which) shall be comprised of paintings by" the Group of Seven and three other named artists, "and other artists, as designated by the advisory committee, who have made contributions to the development of Canadian art."

We move forward to 1972. In 1972 the administrative nature of the collection was changed and it became a crown corporation. But again the act at the time was very clear about what the McMichael collection was all about, "The board shall ensure that art works and objects acquired from time to time as part of the collection are not inconsistent with the general character of the collection at the time of such acquisition." The McMichaels at the time were satisfied with that definition. We've heard many members during this debate say that when someone makes a donation, the sanctity of the terms around that donation must be adhered to. The McMichaels, as I said, were satisfied with that definition.

Now we move forward to 1981, when a draft bill regarding the collection appeared that did not contain such a qualifying clause. The McMichaels objected, the Liberals of the day objected and the NDP objected. The Liberals across should go back and read the stirring defence in the 1981 debates by their former leader Stuart Smith of the concept of the McMichael gallery as a shrine for the Group of Seven and related art. New Democrats should heed the words of that giant of the House, Jim Renwick. Both would approve of Bill 112.

In 1981 the government of the day was a Conservative government. Willing as we always are to listen to reasoned argument, the government changed the draft of the bill to make it conform again to the 1972 agreement. In the final version of the 1981-82 bill, the key paragraph said that the board shall ensure "the focus of the collection" is the art work and objects created by the Group of Seven and any other artists "whose art work and objects will be consistent with the general character of the collection." Note again the qualifier involving acquisitions: "art work and objects will be consistent with the general character of the collection." This was the same qualifier as in 1972.

Now we forward to the lost 10 years. In 1989, right in the middle of those lost 10 years, the Liberal minister of the day introduced amendments to the McMichael Canadian Art Collection Act that changed the very nature of the collection, even while denying she was doing so. The role of the gallery was described again in another act in 1989 as collecting works of art from specified individuals and groups, but with one major change. What was missing was that qualifying phrase "consistent with the general character of the collection." In every change that had happened, in 1972 and in 1981, that was there. It was hotly debated. The Liberals and New Democrats of the day insisted it be there and it was put there. This time around, in 1989, the Liberals took out the phrase "consistent with the general character of the collection." Those collecting could now ignore the general character of the collection, which was why the McMichaels had given their art to the government in the first place. The Liberal minister of the day, Oddie Munro, denied any such change in intent, even though it was clear in the legislation. "The McMichael will, of course, continue to focus on the Group of Seven," she said, in somewhat of a Pinocchio fashion.

The first reason for the 1989 bill, Ms Munro explained, was to make the museum bilingual. The second was to enlarge the membership of the board of directors. This is very interesting. Members opposite have brought forward the name Michael Burns at some points in this debate. I've heard tell, as one of my friends in PEI would say, that Michael Burns is a well-known Liberal bagman who was on the board at the time. He didn't enjoy dealing with the McMichaels and went to his Liberal friends and said, "We've got to deal with this"; hence, the 1989 bill. That's something they're quiet about across the way. They and the people who were around them at the time don't like to be reminded of those things, and maybe some of the motivation for the changes they made in that 1989 bill. But changing the mandate back in 1989, repudiating the essence of the deal with the McMichaels, that minister tried to hide it by using the word "clarify." That was their third rationale for the bill.

Today's Liberals, as we've heard throughout, accuse Bill 112 of being—I'll quote the member from Superior North—"a grotesque breach of faith with donors," yet it was the donors during those first 24 years of the collection who were betrayed by the Liberals' stealth attack of 1989. I've mused about a reason for the motivation. I don't know if that's the actual one or not. But that bill had the purpose of destroying the consistent nature of the McMichael collection and it explicitly repudiated that 1965 agreement.

We fully agree with the critics that the integrity of donor agreements must be respected. Mr Clark from Stoney Creek gave a great speech on I believe the opening day of this debate on that. That the Liberals refused to do this in a 1989 bill is why the issue is actually back before us today, still a continuing bone of controversy to be gnawed over. Liberal members have argued that the government should not be in the business of deciding what kind of art goes into the gallery, yet that was precisely what they did—and members of that cabinet are in the House tonight—in 1989. That bill said that art which was inconsistent with the McMichaels' dream of a gallery centred on the Group of Seven and chronicling the development of Canadian art should be collected. It is noticeable that the Liberals in the current debate continue to praise the McMichael family's gifts and vision, yet they repudiated that vision and downplayed those gifts in their 1989 legislation, and they continue to do so today.

With that bit of chronicle—because as I've listened to this debate, I've listened to several members on both sides of the story give historical accounts; it was necessary to go back and actually look at the history, at the historical accounts, at the personalities that were involved perhaps in the 1989 bill that the Liberals brought forward, to try to figure out what were the motivations and where actually was the breach of faith. It is clear that breach of faith to the donors of the 1965 agreement was made by the Liberal government in 1989, and this government today, in the year 2000, is undoing that wrong. We're going back and restoring the honour of

government, keeping an agreement with people. It was honoured in 1972 when changes were made, it was honoured in 1981 when more changes were made, but it was dishonoured in 1989.

That's why I stand here today in support of Bill 112. That's why I stand here today in support of my colleagues who have supported this bill and the minister who has done such an excellent job in here every day that we've had debate on this bill in explaining to the members opposite, who jump to their feet, demand explanations and continue to get good, logical explanations from this minister.

The Acting Speaker: Questions and comments?

Mr Conway: It is true that over the 32 years between 1965 and 1997 there was an ongoing tension between the McMichaels and governments of all stripes: Conservative, Liberal and New Democratic. I was involved in some of those, particularly the ones in the early 1980s, and I'm the first to say that I suppose none of us was covered in glory. There was a real tension as to who had what kind of control. But whatever the politicians did, in 1997 the Ontario Court of Appeal was asked by the current provincial government in Ontario, the Harris government, to settle the issue once and for all. They handed down a ruling two and a half years ago that made plain that, notwithstanding all of the history, it was absolutely clear in the opinion of the Court of Appeal that many years before 1997 the McMichaels, good people, had nonetheless surrendered their control of the gallery to the government. That was clearly ruled by the Court of Appeal, on request of the current government. That wasn't a bunch of politicians making that judgment; that was the Ontario Court of Appeal.

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That's what I'm so troubled about. Within two and a half years, we've got the court saying one thing and now the Harris government saying, "We have changed our position. We want to go back to some position that may have existed in the mid-1960s." That's why this legislation is so retroactive. It is confiscatory because it so clearly impairs the donations of so many people made in good faith on the basis of earlier arrangements.

I've talked to many people in the arts community who are very close to the gallery and this debate, and they are shocked and horrified because they do not understand, having not been consulted—

The Acting Speaker: Thank you. Questions and comments?

Mr Christopherson: The member for Niagara Falls, toward the end of his remarks, talked about what was honourable and dishonourable in his opinion. Let me say to you, through the Speaker, that if there is any dishonour in here, it's the major flip-flop on the part of the government and the lack of an explanation of why that flip-flop has taken place. It was your government—

Interjection.

Mr Christopherson: No, Bert, there has been no explanation—not that you'd know the difference.

The fact of the matter is that this government defended the modern, if you will, acquisition policy. Then we

heard that the government was concerned that as a result of the court ruling there may be individual court cases around some works of art, which would have one think, logically, that the bill we have in front of us would entrench the position that you defended and won in court. That at least would have some sense to it. You could understand how they got to that point, even if one disagreed. But there's a real gap here in logic and in honour and in explanation that you owe to the public.

What was it about the position that you defended in the courts that you've now decided requires a complete 180? Because you've joined the other side. If we were back in that court case, you would stand up and say, "Your Honour, we're wrong and we're going to join the other side in this." That's effectively what you have done.

I called on the minister to provide some explanation. She didn't. Either she can't or she's too embarrassed to give the truth, but we're not hearing it. So I say to the member for Niagara Falls, if there's dishonour, it's you and your caucus—

The Acting Speaker: Thank you. Questions and comments?

Mr John O'Toole (Durham): On a serious note, I couldn't miss the opportunity to compliment the member for Niagara Falls for his perspective on the issue in bringing out a very important issue that may have been the road not taken, or the road that was being taken by the previous two governments, Liberal and NDP, not willing to step up and fulfill the honour and commitment that was required with the original bequest by the McMichael family.

Certainly if there was anything to be placed on the record, it is clear and has been demonstrated by action that this government has been known by the moniker of keeping its promises. We are returning loyalty and honour to the premise and to the respect of the initial purpose of the donation. It's in that light that this government, in its signature statement, is keeping its promise.

On a larger issue, it's important to document that the contribution of the Group of Seven and that particular group of artists and the McMichael intention have been sorely abused, in my view. So what's happening here is returning to the original premise, the original agreement, the original commitment not just to the McMichaels but, I believe, to art in this province.

The member for Niagara Falls brought up perhaps some of the risk and motive that may have been behind the scenes, if you will, the backroom parts of the decisions, both in the Liberal and NDP governments.

So I'm pleased to support it, but I'm also confident that Minister Johns will not expand the mandate that's been specifically focused in Bill 112 to those other arts communities that need to have support. Culture makes our country and, indeed, our province.

Mr Gravelle: The bottom line here is pretty simple. There are a number of things that aren't getting addressed as often as they should, as well. Certainly, there's no question about the flip-flop and the confusion that we all

feel about the government's decision to go ahead with this bill, or the Premier's decision, obviously. I don't think the minister herself is comfortable with it and just simply has to carry the can on this one. There's no question about it.

The fact that this bill basically allows for the government's involvement in the day-to-day operations of the gallery is another concern that everybody in this Legislature should have, and certainly everybody in the arts community has. We've got part of the bill that basically says, "The board's powers to make bylaws and establish committees and its power to appoint or remove the director are made subject to the minister's approval until the day three years following royal assent to this bill...." It's completely clear that the minister is going to be very involved in this.

The minister tries to make the point that with this advisory board the McMichaels will not have complete control. Why is it then, Minister—and you've heard this yourself—that Mr McMichael has made it very clear that he intends to remove 3,000 pieces of art, works of art, from the gallery? If that's the case, you can't really have it both ways. There's no question, this is a bill that is of great concern to the arts community for a number of reasons. It should be of great concern to this entire Legislature for that reason alone.

But the government continues to not answer that important question as to why they would go to court, win the appeal, have a position that's supported and then choose to go forward with this legislation. The only reason one can see to do this is literally because the Premier wants to do this for Mr McMichael. As great a benefactor that he has been to this province, it makes absolutely no sense at all. The minister has to recognize that and explain to us why she feels they need to have day-to-day operations involvement in terms of this, recognizing the crucial fact that we must maintain an arm's-length separation between the government and decisions as to what artwork goes in a gallery and not in a gallery. It's something that needs to be determined.

The Acting Speaker: Response?

Mr Maves: I want to mention to the members opposite that the bill doesn't return ownership or control to the McMichael family. What the bill does is restore the original mandate and agreement between the McMichaels when they made the donation and the government, an agreement that was maintained in 1972, as I said earlier, maintained again in 1981, but not maintained in 1989. We think it's essential—and I mentioned that during this debate several members on this side of the House have talked about the fact—that these agreements should be honoured.

I remember Mr Clark. I want to quote from him. He said:

"I've seen many donor agreements," in my time "and during that time frame I have staunchly supported the integrity of those donor agreements. It is imperative. As far as I'm concerned, there is nothing more sacrosanct, more precious, than honouring the commitment of a

donor to any charity, to any art gallery in Canada. All of my colleagues in the charitable community used to pride themselves on honouring those things. There were codes of ethics involved."

That's what this bill does. The bill takes us back to the 1965 agreement, to the 1972 agreement and to the 1982 agreement and restores those clauses that I talked about that were so important to the McMichaels, that were so integral to the original agreement, to the donation—

Mr Christopherson: How come you didn't believe that in 1997?

Mr Maves: It's not inconsistent with the 1997. I believe Mr Gilchrist will talk about that in his 10-minutes speech, because we've talked about it. That is the crux of the issue today. That is what I've argued thoroughly and my other colleagues have also done so. I believe it's time that we move on with this legislation.

The Acting Speaker: Thank you. Further debate?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I must confess that it is with some confusion that I enter this debate. I do recall hearing the minister when she first introduced the bill explain that the McMichael gallery was in financial difficulty and there was some need to introduce legislation that would address that very serious situation.

This evening I heard the member for Guelph-Wellington make reference to that very same situation. Certainly members on this side of the House, if there was legislation that was introduced that would assist an art gallery in this province, a public institution, would certainly consider that in a favourable way, I would suggest.

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But what I'm having difficulty understanding and what the government has failed to demonstrate is how this legislation will improve the financial performance of the McMichael gallery. It's changing the players, but it has absolutely no impact on the policies that the board might make on behalf of the gallery. I would suggest that's rather a loss leader: the government is throwing that out there and they like to have people in the province think they are quite fiscally responsible, when in fact fiscal responsibility has absolutely nothing to do with this bill. This bill will in no way impact upon the finances or how they might be governed. We know it will have an impact on at least two members of the board, and from the background material that I have read, those individuals are far more focused on the integrity of the collection and the works of art that it would include. I haven't reviewed any information where they've had a great deal of comment about any of the fiscal decisions that have been made.

I did review at the beginning of the bill the purpose of the act. I note it has been suggested that the focus of the McMichael art collection has changed over time. I found it interesting that the member for Niagara Falls has the same quote from the original agreement that I refer to as well. In that agreement it did indicate that the McMichael conservation collection should "establish, develop and maintain in perpetuity a collection of art reflecting the

cultural heritage of Canada" comprised of paintings by the Group of Seven painters "and other artists as designated by the advisory committee who have made contributions to the development of Canadian art."

I have to tell you that word "development" came off the page at me. The word "development" suggests to me that art is not stagnant or static, that it doesn't stay the same. In fact, in the original agreement, I believe, this word recognizes, looks forward to, the fact that the tradition of Canadian art will change, it will develop. So I'm rather puzzled that the suggestion in the bill is that the focus has changed, because I would suggest that a collection which has grown in number from about 150 works to now over 6,000 works of Canadian art has had a very healthy development. I would suggest that the presentation that the spirit of the original agreement has not been respected, that the integrity of the donor agreement has not been respected, is really quite wrong. I would suggest that it's been very truly respected in the fact that we have the magnificent McMichael gallery today.

I have to also comment on the reference to the term "donor." I want to say how blessed we have been that Robert and Signe McMichael saw fit—they had a wonderful resource within their possession. I would suggest, though, that they did have some difficulty maintaining and operating a gallery and that's why they came to the province for some assistance. So I'm a little concerned as well that we're going back to a situation where you have a very limited number of artists and somehow that's going to better sustain itself than a collection of over 6,000. Anyway, that's not the point that I want to make here right now.

We have heard many references to the term "donor." While we are grateful that the McMichaels have certainly made possible for these invaluable works of art to become provincial resources, I would suggest that the people of Ontario have paid in kind for that. The original gift of art, including the land and the buildings, was valued at \$835,000 in 1965. The McMichaels were provided with a tax receipt from the province of Ontario for \$815,000. They were given a home to live in. They were given a car and a housekeeper which were paid for by the province. Mr McMichael was given a salary of \$400,000 before he stepped down as director. That same year, the government purchased a \$300,000 home for them. When we talk about a donor, I would suggest that is a misnomer. I believe the McMichaels have been compensated, and appropriately so. However, that compensation certainly now provides to the people of Ontario a very vested interest in the management of the collection. Those people who have been involved with the management of the collection have overseen its development over the years, and so now the people of Ontario have an interest in a very significant treasure of our country.

I'm very concerned about the wording in the legislation. Clause 4.1(2)(b) makes reference to the committee being responsible for the consideration of those works

that would be disposed of. This is a provincial resource, and a committee of five people are going to determine what treasures of our province, of our country, will be disposed of. I'm very disturbed by that.

The member for Barrie-Simcoe-Bradford made reference to libraries. It brought to mind the analogy of what we, as citizens or as legislators, would think of a proposal that would establish a library that would only hold the works of Ontario writers or Canadian writers or British writers. If Pierre Trudeau taught us anything it is that we should look for diversity in life. I would suggest that the development of the McMichael collection would represent that.

Finally, I have to make some comment about the references made by the member for Niagara Falls and the member for Durham. They made reference to possibly some motives of individuals from a Liberal government in the past. That's not the way my mind works, but when I hear things like that it does suggest to me that maybe they're judging the motives of others by their own standard.

I hope that the government would recognize the opportunity to not limit and not restrict a treasure, to not damage a treasure, not just a provincial treasure but a national treasure, by passing this legislation. Please recognize that you have an opportunity to remove this legislation so that the people of Ontario will be able to enjoy this treasure for many years to come.

The Acting Speaker: Questions and comments?

Mr Christopherson: I want to commend the member for Hastings-Frontenac-Lennox and Addington. She spent a fair bit of time talking about an issue that's been raised before, and rightly so, just this evening by her colleague from Renfrew-Nipissing-Pembroke. By the way, we've got to do something about these riding names. They're getting almost as long as my last name.

2030

The member spent a lot of time talking about the fact that there were perceived questions of how the place was managed, particularly around the finances. It would appear that those are legitimate concerns. But it has also been pointed out by colleagues in the House this evening that the tools were already there to fix those things; or, if there were some minor adjustments to some of the practices that you felt had to be entrenched in law, then that would be a different matter.

But that's not what the new law, Bill 112, is specifically dealing with. Let's face it, the heart of this issue is the collection itself. It's the acquisitions and the retainment and the policy that apply to that. That seems to be the heart of the conflict. That is why I anxiously look forward to the next Tory member speaking, because I'm advised we're finally going to get an answer as to why the government changed sides, why they flip-flopped from where they were in 1997 to where they are today in terms of the acquisition policy. That is what is at the heart of this. I eagerly await the learned explanation as to why that flip-flop was necessary on the part of the Harris government.

The Acting Speaker: Questions and comments?

Mr Steve Gilchrist (Scarborough East): I'd like to take a couple of minutes. The member opposite has raised the issue of the lawsuit a number of times. I certainly don't profess to be a learned judge sitting here and passing legal judgment over what has been rendered, but I think something has been lost in the translation here.

My understanding of the facts is that when the crown sought leave to appeal Judge Grossi's initial decision, the issue was not the nature of the McMichael collection; it was that Judge Grossi "erred in ordering the crown to do that which it cannot do in fact or in law."

Further, my understanding is that when the court ruled against the province, it declared that the 1965 agreement was in full force, that in effect the collection was in breach of the section of the agreement that dealt with art acquisitions. It ordered the province to ensure that the gallery's board abide by the terms of the 1965 agreement, in particular acquisitions to the collection. The court also ruled the collection was not in breach of certain other provisions of the 1965 agreement.

So much has been said here that somehow we're changing sides. The fact of the matter is, Judge Carthy in the Ontario Court of Appeal made the point explicit. Speaking about the 1989 agreement, he said, "Those are clear, legislative enactments dealing with the scope and focus of the collection and directing future acquisitions. The 1989 act unambiguously repeals the previous enactments and just as clearly supersedes and replaces section 13 of the 1965 agreement."

An argument about the administrative powers of the board, which was what was decided by the Ontario Court of Appeal, is not the same as the former Liberal government's subverting of the original spirit of the collection, which was what took place in the original 1989 amendments.

I say with the greatest of respect to the member, I don't see a change in position; I don't see an inconsistency. The fact of the matter is that we're standing up for the honour of the original deal.

Mr Conway: I have the court judgment. I have the majority decision and I've read it carefully. I would recommend that all members read it because there are a couple of things that are very clear.

The court, in its majority decision, makes it plain that Mr McMichael, ably advised by J.J. Robinette in 1980, entered into a new relationship with the gallery and the crown.

I'll just read a part of the judgment. "In my opinion, the critical legal juncture in this chronicle of events arose in the late 1970s." Then the court goes on to talk about—

Mr Tilson: That's when you changed the rules. David Peterson changed the rules.

Mr Conway: This is the verdict that was handed down by the Court of Appeal a couple of years ago.

Mr Tilson: You were running the cabinet that did that.

Mr Conway: I was there when Bob McMichael accepted the arrangements in 1981 or whenever it was.

The reality is, the court in its majority decision also gives you every reason why you don't want to do Bill 112.

Let me read again from the majority finding. "What pieces of art contravene the acquisition policy? If it be those of which Mr McMichael complained, it should be noted that he was only giving examples. If the pieces are to be sold, what is to be done with any conditions that may have been imposed by donors? Finally, the provision in the judgment that Her Majesty must regulate the Board of Trustees to ensure that it abides by the acquisition policies of the agreement cannot be regulated by the Court and is inappropriate."

The judgment makes it plain that if you pass this bill, you are walking back into the quagmire from which previous governments wanted to extricate the public, a public that has poured tens of millions of dollars into this public gallery. It's not a McMichael private gallery, it's a public gallery, and you're opening the doors to litigation. I say to the donors, since they won't listen, sue the pants off Mike Harris and his colleagues.

Mr Tilson: The member from Hastings-Frontenac-Lennox and Addington asked the question as to how specifically this legislation was going to deal with the fiscal problems the McMichael gallery had gotten into, and of course it had gotten into a problem. It got into a problem of a deficit of \$1.6 million. In specific answer to that question, the reason it got into that problem was because of the philosophical direction in which the gallery was going. It wasn't even close to what the original intent of the gallery was set up to be.

When that intent was carried out prior to 1989, the people came. The people came to see the gallery. After that time, after you people changed that philosophy in the 1989 legislation, the whole philosophy of the gallery changed. I don't intend to get into a debate as to what is good and what is bad. I will simply say that you changed the philosophy. You did. You and the Liberal Party, the Liberal government of David Peterson, changed the philosophy. After that point, the people who were attending fell off.

If it's falling off, the revenues aren't coming in and naturally there's going to be a deficit. So in answer to your specific question, that's one of the reasons why this legislation has been brought forward: to change that direction.

You say in your comments to the member from Hastings-Frontenac-Lennox and Addington, why can't we have Canadian art? That isn't why the gallery was originally set up. I gave examples in my comments several days ago about how this is not a new idea. There are ideas in Paris of Van Gogh where only Van Gogh is shown. There are ideas in Massachusetts where only Rockwell is shown. What's wrong with the original intent of 1965?

The Acting Speaker: Response?

Mrs Dombrowsky: I would suggest that there is nothing wrong. If there is a private gallery that wanted to display the works of the Group of Seven, that would be quite appropriate. This is a public gallery. It is operated

with public funds. I would suggest that when I review the treasures that this gallery has accumulated over the years, I think of what an opportunity it is that the citizens of the province of Ontario are able to view a collection of Canadian art in the number of 6,000 pieces.

What this legislation is asking us to do is to return to a collection of some few hundred. I think some very serious questions have been presented by this side of the House around what will happen to those other works of art. I understand that there is a donor who has contributed in the neighbourhood of \$1.6 million worth of artwork. What's going to happen to that provincial resource? Those are resources we all can enjoy that will be there for our children and our children's children.

Today here in this House you are asking the members to consider legislation that will provide a handful of people with the ability to dispose—and I believe “disposal” is the word that's used in legislation—of provincial treasures. We have no commitment or guarantee or understanding from the government of how or where or when they will be disposed of. They are provincial treasures.

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The Acting Speaker: Further debate?

Mr Christopherson: I want to say thanks to the previous speaker for not letting us get too far off the track about why the concern is here about what you're doing now, and that is, what's going to happen to the collection that's there? I've noticed that after three years the imperial rule of the minister is lifted, and it would seem to me they'd would want to make sure that all their objectives, and that would be to get rid of a lot of the art that's there, have taken place.

So the concern about flooding the market would seem to be very, very legitimate, as is the concern on the part of artists in terms of one less significant purchaser of Canadian art—particularly new art, experimental art, art that's not necessarily in the mainstream. There aren't a lot of buyers. It says a lot about the artistic culture in this community that we can continue to produce that kind of art, but let's face it, the economics of it are that a lot of artists are just barely getting by and they need buyers. To lose the McMichael gallery is a real concern. So artists have legitimate concerns on all fronts as to what the end results of what the end results of Bill 112 will be.

I want to return to this business of the government's flip-flop, because there's been some attempt by a couple of members to touch on that, but certainly no explanation has been afforded—no explanation's been afforded. Let's understand exactly where we are. The last piece of legislation prior to Bill 112, and this is regarding the acquisitions policy: in 1982 the mandate was repealed and there was a new mandate. That new mandate said that “the focus of the collection be art created by aboriginal and Inuit artists, the Group of Seven and their contemporaries, and other artists who have made or make a contribution to the development of Canadian art.” The added line that used to be in there wasn't contained in the 1982 amendment, and that added line was “and whose

artwork and objects will be consistent with the general character of the collection.” “General character of the collection” goes back to the original 1965 gift agreement.

Now, the McMichaels were not happy with the direction the gallery was going in. They didn't like the way the gallery administrators had used the 1982 amendment to expand the collection; they just disagreed with it. Ultimately, they took the matter to the courts, and in the courts, in November 1996, the Ontario Court (General Division) supported the McMichaels. Now, because of the reaction in the community, which I might point out was very similar to the reactions that we are now seeing with Bill 112—concern about flooding the market, concern about not having a purchaser there who would buy contemporary art and help support our artistic community—because of that Mike Harris minister of the day, in December 1996, announced that the government would appeal, that they didn't like the idea that the McMichaels had won in the lower court. They were going to appeal that decision to a higher court. In November 1997 the Court of Appeal overturned the lower court. The government won. The government did not side with the McMichaels. They sided with the mandate of the 1982 amendment, which is to move away from the confines of the 1965 gift agreement.

Mr Gilchrist: Oh, now you're straying.

Mr Christopherson: No, I don't think I did stray. The fact of the matter is that you were actually defending the 1982 mandate, and the 1982 mandate is the one that differed from 1965. That's what upset the McMichaels. When the McMichaels won in 1996, because of the outrage your government said, “We'll appeal. You're right, we've got to do something about this,” and they did that. In November 1997 you won. By the way, it's worth noting, just for the record, that in June 1998 the Supreme Court of Canada refused to hear this further. So you had this ironclad.

Now, based on the comments of the parliamentary assistant, and I'm suggesting that they may very well be valid, that there could possibly be more lawsuits and therefore something needed to be done—I don't know, that may very well be; I'll give you the benefit of the doubt—if that were the case, however, there wouldn't be a change in the mandate in terms of the acquisitions policy; it would be a continuation of where you were in 1997, which is to defend the 1982 amendment. But that's not what's in front of us. So where the government members are standing up and saying, “Listen, we're doing the honourable thing, we're going back to the 1965 gift agreement where it will all be confined to just the Group of Seven and related issues in a very small collection,” all this pious talk about taking the high ground is nonsense because that's not where you were three years ago. Three years ago you were on the other side of the issue.

All we've asked for this evening is an explanation of what values changed. Why did you decide to no longer defend the expanded mandate of the acquisitions policy of the McMichael gallery, the collection, and return back

to 1965? That's not where you were in 1997. If you were being consistent going backwards, one of your favourite directions, then the minister of the day in 1996 should have said, "No, we are not going to appeal. We agree that the McMichaels correctly won and we need to be back at the 1965 gift agreement." But that's not where you went, that's not what you did. All I and other members here tonight have asked for is an explanation of why you based your December 1996 announcement to appeal the lower court's decision on the concerns that were being raised in the community. Those are exactly the concerns that are being raised around Bill 112, and yet in December 1996 that outrage prompted you and gave you the motivation to say, "Yes, we will appeal. It's wrong that we're back at the 1965 gift agreement. That's far too narrow. That's not where we should be. We should be with the new mandate." That's the position you took then, and less than three years later you're back here with a piece of legislation that flip-flops on where you were just a few years ago—and no explanation.

If there is an explanation, I've called on the minister to give it. She's here in the House. She's a reasonable person. I fully expected there would be a defence of why you changed your position, why the community outrage that exists today was enough to prompt you in 1996 to say, "We'll do something about it," and now you're taking us right down that road and in an even tougher way in terms of putting it in legislation. Will the minister stand up and defend the flip-flop, the complete 180-degree change in their position? No. Why? I would assume that the minister would not stand up and say anything other than the truth; I believe that about her. It makes me wonder then, what is it about the truth that she can't speak? What is it about the truth as to why you flip-flopped, that the minister charged with the responsibility of carriage of this bill cannot or will not stand in her place and provide us with an explanation as to why they have flip-flopped in less than three years on a major policy matter that affects thousands of important pieces of Canadian art?

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The Acting Speaker: Thank you. Questions and comments?

Mr Doug Galt (Northumberland): Certainly I've always enjoyed the presentations put forth by the member from Hamilton West. He's very entertaining. You never know where he's coming from. I was sitting here trying to sort out what his background might be and what his profession might be. I first thought maybe a lawyer from the way he was working through it. Then I found out he was a union steward, but it's kind of close.

He talked a lot about flip-flops. We have watched the tremendous number of flip-flops that the Liberals—I'm surprised he'd be using that term when they themselves are going through an awful lot of flip-flops, particularly the lawyers. They moved into 1989 and totally changed. We heard earlier the member from Renfrew talking about all the confusion, strife and concerns and then they added to that in 1989 by changing the original mandate.

I'm sure the member from Hamilton West understands what this bill is about and where it's going. It's about getting back to the original principles, back to the commitment that was there right in the beginning, undoing the wrong and honouring that original agreement.

The collection, as I understand, was more or less destroyed with some of the directions the government of the day was sending it into. I think it's tremendously important that we get back to the original mandate. John Robarts, the Premier of Ontario—a tremendous Premier, by the way—working with the McMichaels back in 1965, set this collection aside for the people of Ontario. I think it's important that we leave it in our province for our children, our future generations, so that they see the kind of art that was here at that time.

I'm enthused to see that we're getting it on to a sound financial basis and also that it moves back to its original mandate.

Mr Conway: I say in all seriousness to the House tonight, if it is a concern of the government that there are financial problems at the gallery, then I respectfully submit that this government, like all governments, has within its arsenal a range of tools other than this kind of retroactive legislation. I say very seriously, one of the things that should trouble the citizen-legislator, more than other things, is the use of political and legislative power to reach back and retroactively change the rules. That's what we're doing here. I differ with some of my colleagues who said this is perhaps unimportant legislation. This is profoundly important legislation because, in principle, it's so wrong because it's based on the doctrine of retroactivity.

Secondly, I want to tell the House that very thoughtful, generous people, much closer to the arts community than I, many of whom are good, loyal supporters of the Conservative Party and government of Ontario, are deeply and profoundly troubled by this legislation. One of the reasons I'm upset about it is, people I really respect in the arts community, much closer to this than I, are absolutely outraged.

Thirdly, I ask members to look at the judgment. For example, if it is financial administration you're worried about, look at the Court of Appeal judgment and look at the testimony of people like Cicely Bell and Allyn Taylor who provided affidavits to the court case. Let me just read one. Allyn Taylor, I think a former CEO of Canada Trust, was chair of the board back in the 1970s and early 1980s. Let me just quote from part of his affidavit. "Mr McMichael continued to be directly involved in every facet of the operation of the collection. His reluctance to follow policies and procedures established by the board and his manner of interacting with staff resulted in constant and escalating difficulties."

Bill 112—

The Acting Speaker: Thank you. The member will take his seat.

Mrs Elliott: I listened with close attention to my colleagues across the way, and I hear the words used, for instance, with regard to the court case, "the government

won", and I think on that point we have to just simply say we disagree.

The reason this bill is before the House today is to bring clarity, to end confusion, to end the rancour that has obviously had very negative effects on the gallery itself and on the art community in general, because it creates confusion and that creates problems.

A decision was made by a judge, and from our point of view there were some confusing points that came from that which needed to be clarified, and once clarified in court, the final resolution to finally clear that up was here by bringing this forth in legislation.

I don't pretend to be a lawyer or to understand all the details, but here are a couple of things that have been brought to my attention. For instance, the judgment was confusing about the role of the board and its mandate; the judge's interpretation of the character of the collection was extremely narrow; and if the board could not define its duty within the meaning of the judge's decision, it would not be able to meet its legislated collection mandate. Each piece of art could potentially be subject to court review. Who, on any side of this House or in the art community, would want that?

The judgment was confusing with respect to the applicability of those sections of the 1965 agreement that were not specifically adjudicated. The judge's opinion about the parts of the existing collection that fell outside the gallery wasn't clear about whether or not these works had to be disposed of, there was no precedent for disposing of a large number of works, and potential problems included donors of disposed works suing the government.

This required clarity. This required the confusion to be cleared up once and for all, and that could only be undertaken through legislation. As I said earlier, the policy for acquisition and for disposal is exactly the same as that used by other collections.

The Acting Speaker: Questions or comments?

Mrs McLeod: In response, let me quote Justice Carthy, who sat on the Ontario Court of Appeal to hear the case of the McMichaels versus Ontario. Justice Carthy said: "In the early years following the 1972 legislation no particular problem surfaced. ... However, the evidence indicates that the relationship between the McMichaels and the board, which was expanded to nine members in 1973, deteriorated in the later 1970s. The McMichaels were frustrated" because the board was not following their views and directions.

According to Justice Carthy, Mr McMichael apparently believed that he and his wife had absolute control over acquisitions under the 1965 agreement. In 1997 the province of Ontario challenged the McMichaels in the Ontario Court of Appeal on what this bill is now legislating. The Ontario Court of Appeal dismissed the McMichaels' application. The finding in the court case was that the board of trustees has ultimate control of acquisitions. The new director has the responsibility for implementing the policies and directives of the board with respect to acquisitions.

What could be clearer than Justice Carthy's findings.

I've become increasingly concerned over the course of this evening's debate. I read the bill and was assured by the statements in the bill that the intent of the legislation, at least, was to maintain the original mandate of 1965, which indeed showcased the Group of Seven, but as well other artists as designated by the advisory committee who have made contributions to the development of Canadian art. That's still the language contained in Bill 112, which is before us tonight.

But earlier this evening the minister responsible for this legislation said that what they were going to do with this bill was go back to showing the Group of Seven and their contemporaries. That is what Mr McMichael wanted to confine the McMichael gallery to. Regardless of what the legislation says, it appears that that's the intent of the government. Under that mandate, Norval Morrisseau would be excluded, along with thousands of others.

Mr Christopherson: Let me thank colleagues from the ridings of Northumberland, Renfrew-Nipissing-Pembroke, Guelph-Wellington and Thunder Bay-Atikokan.

Let me begin first of all with the member from Northumberland. Let me say how saddened I am that you feel, pointing out that I'm from working class roots, that that is something that somehow makes me less than you, because you're a doctor, a veterinarian, and the way you sneered at being a union steward. I'm really sad that that's the way you see the province and saddened even more that you sit in the government benches. I happen to be very proud of my roots and always will be.

Let me say in particular to the member from Guelph-Wellington, who I believe—you are the PA, correct? Right.

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You didn't answer. You did a good job of making it sound like you were answering it and sort of moving off the issue, and then got on to your message. We all understand how that works, but the reality is, there has still not been a single member from the government benches who has told us why you've changed your position. What is motivating this? I'm sure there could be lots and lots of rumours, and there are lots of rumours, but you have not adequately explained why a couple of years ago you defended the expansion mandate, the mandate to have a broader collection than the 1965 agreement would have given us, and now in Bill 112 you take us right back to the 1965 agreement and talk about it like you're suddenly doing something that is, oh, so honourable. Where's the explanation? Where's the explanation the people of Ontario are entitled to?

Mr Gilchrist: It's indeed my pleasure, I suspect, to be the final speaker this evening on this topic and to add my perspective, in perhaps stark contrast to the words we've just heard from the member from Hamilton West. Personally, I think the time has come to get on with the job of restoring the McMichael Canadian Art Collection to financial stability.

In recent years the McMichael has probably been known more for controversy than for its art. It's time to

end the controversy that has crippled this unique institution for far too many years. It's time for this Legislature to keep faith with an agreement that the Ontario government made in 1965, an agreement that entrusted the province with the preservation and care of a very important chapter in Canada's cultural history.

Bill 112 seeks to restore the intent of the original mandate that created the McMichael Canadian Art Collection and to bring the collection back to sound financial health. The bill would give McMichael a clear direction for the future, it would provide a framework for sound fiscal management and it would create a stable environment where artistic excellence could thrive.

In the debate over the last few days, we've heard that this bill is about returning control of the collection to the McMichaels. That is not true. The collection would continue to be managed by a board of trustees. The bill is extremely explicit in that regard. It couldn't be clearer. That board will operate under the very capable leadership of the newly appointed chair, Mr David Braley.

We've heard that the legislation would cause chaos in the art world. We've heard suggestions from the members opposite that there'd be a fire sale of thousands of pieces of art, that the bill would somehow require the gallery to divest itself of all of these important pieces of art. Again, that's patently untrue—it is patently untrue.

For sake of argument, let's suggest that the McMichael board did decide to divest themselves of some pieces of art. There is nothing in this bill to suggest it would still leave public control. Need I remind the members, we have the Art Gallery of Ontario, we have any number of other fine, publicly supported art galleries, provincially and municipally, that I'm sure would love to be the recipient? So forget this canard that somehow there is a fraud that's been perpetrated. Forget the member from Renfrew's comment that we should be sued into the next millennium, I believe is what he said earlier today. It isn't going to happen. I don't believe the reasonable people appointed to that board would make a decision that would result in that end.

Let me just cite a "for instance" of another artistic endeavour that the previous governments, the Philistines who ruled this province from 1985 to 1995, let slip out of the control of the provincial taxpayers. It was the Guild of All Arts in my riding of Scarborough East. After World War I, Spencer and Rosa Clark had a vision: a building on beautifully landscaped grounds where all practitioners of the various arts, whether they were weavers or artists or potters or musicians, could actually live rent-free and practise their art. For decades it was a magnet that drew all sorts of expertise, in some cases very unique. It had a weaving loom the likes of which there were no others in Canada. After all of those decades of investment, after all of those decades of support, not just from the province and not just from the taxpayers generically but particularly from the Clark family and from the community, when Mr Clark was reaching an age where he wanted to ensure that his legacy would live on, he made a deal with the provincial government.

The government, hopefully in good faith at the time, took control of the Guild Inn. And what did they do with that under the previous two governments? They neglected the buildings to the point that the city of Toronto had to come in and tear them down under the property standards bylaws. They gave it away to the conservation authority and then turned a blind eye when the conservation authority gave it away to the city of Toronto, which thought that they could manage what at that point had become nothing more than a glorified inn and hotel.

It is a shambles. It is a theft of a legacy of the people who left that to this province. The governments on the opposite side, both of them should be ashamed of what you did. This was something quite unique, not just in my riding, but in the entire country—and it is gone.

Let me suggest to the members opposite that while under any new infrastructure deal it would be up to a municipality to identify their priorities, I can tell you that we've had a referendum in Scarborough East, in that community of Guildwood, and they've said very clearly that they want to see that building and those grounds restored to a Guild of All Arts again. I tell the members opposite right now there would be a venue right there, because I know that the city councillor is onside, so please let's not hear any other suggestions in committee or at third reading that somehow these paintings and other works of art would somehow leave public control. I'll guarantee you they'd have a home in Scarborough East and probably a dozen other willing hosts all across Ontario.

Let's make clear something else as well: the legislation is completely specific to the McMichael art collection—a public institution supported by taxpayer dollars. This is not something that can be applied to the Royal Ontario Museum or any other institution. It is very specific and it deals with a long-standing problem: a \$1.6-million deficit and an auditor's report that detailed the gallery's considerable financial difficulties. To not take assertive action would be a dereliction of this government's duty. We've also committed, as the members opposite are well aware, \$2 million for very necessary capital repairs because at the same time as there may have been a neglect of the spirit of the arrangement under which the building was donated in the first place, there's been a neglect of the building itself.

We've heard that the legislation would betray the generosity of donors who've given their work to the gallery. Well, what about Robert and Signe McMichael? Hasn't their generosity been betrayed?

Mrs McLeod: No.

Mr Gilchrist: The member opposite says no. I'm saddened by the callous attitude shown by members of the opposite side of this House. That the enormity of the gift the McMichaels made to the people of Ontario 3 years ago should be so disparaged, should be so minimized by the members opposite, is really quite callous. Without the vision and forethought of the McMichaels without their dedication to an extraordinary school of art

that has, quite frankly, become synonymous with Canada's coming of age, we wouldn't be here today discussing the McMichael Canadian Art Collection. There would be no collection to discuss.

Over the last four days of debate missing from the comments from the other side has been that observation. If you want to criticize how it's evolved, at least give credit to the McMichaels for what they did. We owe them an incredible debt of gratitude. I can't think of any other place in this country where we have such a locus of the art that is really the definition of Canada itself.

I don't think there's any doubt that Bill 112 is about righting a wrong. It's about restoring the spirit of an agreement that was entered into with good intentions 35 years ago and then betrayed. It's about putting the McMichael collection back on a firm financial footing.

Years of debate about the gallery, years of rehashing the past, pointing fingers of blame, have only served to take us further and further from the truth. I thought there was one particularly good quote in the media that's worthy of putting on the public record here today. It was from Sarah Hampson of the *Globe and Mail*. She said,

"Most commentators have overlooked one significant thing.... This is not a story about misplaced control. This is not a story about individual taste in art, about a conservative geezer ... who doesn't 'get' the abstract art of urban intellectuals. This is a story about respect for the McMichaels. It's about honouring an obligation made to them in 1965 by then-Premier John Robarts. It's not about art at all. It's about decency, doing what's right and fair. Mike Harris is not stepping in to make a statement about what he thinks art should be. He is stepping in to undo the meddling of David Peterson's government."

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There was another letter to the editor of the *Globe and Mail*:

"Many countries with a long and rich cultural history have art galleries devoted to one artist or specific school. Why shouldn't the McMichael be one of them? In Paris, art lovers to the Marmottan, the Rodin or the Picasso museums know exactly what they are going to see when they visit. The McMichael is a little jewel whose magnificent setting lends itself admirably to its original purpose as a home for the Group of Seven and related landscape artists. One could argue that the row over its role developed because it fell into the hands of expansionist empire builders...."

I am very proud of the fact that we have the McMichael gallery as one of our great cultural assets in this province. We've had enough talk. It's time to act and pass Bill 112.

The Acting Speaker: Questions and comments?

Mr Conway: I want to agree with my colleague the member from Scarborough who has just spoken that it is important that all members acknowledge the benefaction of Bob and Signe McMichael. I want to do that; I tried to do that along the way. But I also want to agree, parenthetically, with another point the member made. Sadly, this debate seems to have been, over 25 to 30 years,

really about power and control. The literature is replete with examples, including the judicial literature, that make plain that Bob and Signe McMichael never clearly understood the implications of their gift 35 years ago. What troubles me about Bill 112, if I am to believe the testimony of people like Allyn Taylor and Cecily Bell—and I want to be clear; I was very angry with people like Cecily Bell and Allyn Taylor back 20 years ago. That's how I got involved in this debate, because of what I thought was a very cavalier attitude by the then board. They submitted capital requests to this Legislature, to the Davis government, for \$10 million. The cabinet said, "You've got five." They went ahead and spent \$10 million. I seemed to be one of the few people who was upset about that.

In the course of that exercise I got to know Bob and Signe McMichael and quite enjoyed their company. But I have to say that when I look at the past 20 years—and I'm the first to admit none of us is covered in glory—that we want to return to those days and those circumstances that the Court of Appeal and countless independent auditors have said gave rise to all kinds of power struggles and financial administration, to say nothing of the breach of faith with donors in the intervening 20 years, is to me madness on stilts.

Mr Christopherson: It certainly was interesting listening to the member talk about the McMichaels' original contribution and how sad it is, in his opinion—and I wrote down some of his words—that their gift has been disparaged or minimized and that there hasn't been due attention given to their dedication, and he talked about decency. All of that, like the previous speaker, we all agree with. It was a very, very generous gift they gave. That should never be anything less than a proud part of our history, and they deserve proper recognition for that. I agree with what he said about that, that we don't want to lose anything. What I'm unclear on is why that wasn't the position your government took in 1997, because in 1997 your government appealed the lower court decision that agreed with what the McMichaels wanted. So it's a very lofty, high road that the member from Scarborough East takes this evening, along with his colleagues, but the question still remains: if that is such a pure position, and if purity is where you want to be in all of this, why weren't you there in that purity zone in 1997? Why did you take a position against the McMichaels? You took them to court. You took their court case that they won to the Court of Appeal and you beat them. I want to know why this high road you're on tonight is not the high road you felt you had to take in 1997? What's going on that we're not being told?

The Acting Speaker: Questions and comments?

Mr O'Toole: As you would know, Mr Speaker, I was sitting here listening to the member for Scarborough East and was clearly enthralled, actually quite moved by his very genuine and sincere support for the concept of loyalty to commitments and promises.

As he made reference to his riding of Scarborough East, as well as relating that to the whole issue before us

with Bill 112, I think he spoke spectacularly, in a very sincere tone, on an issue that in many cases at my constituency office I've not heard anything about.

But I'm somewhat disappointed by the remarks from the member for Renfrew-Nipissing-Pembroke and perhaps even the member of Hamilton West and their cross-examination of the legal ramifications and the appeal. It seemed to me that they're more interested, not in the McMichaels and their generous donation to the province of Ontario, but in the legal implications, which are really quite a diversion from the purpose and the intent of the collection. Indeed, this legislation returns us to the basic commitment.

All of us here could read the explanatory notes in the bill. It recognizes the gift and the original content in 1965. I believe we could debate this for a long time, but I respect Minister Johns for reviewing it. If the member for Hamilton West had his way, if I were to pay attention to his remark—I think to do the right thing is more important than to stick to your decision.

For the record, I want to make very clear that on serious consideration the government is doing the right thing and in the long run, the people of Ontario and indeed the people of Canada will now have a legacy to share with the McMichael collection.

Ms Caroline Di Cocco (Sarnia-Lambton): What is really a sham about this bill is that they're saying this collection in its present state is causing fiscal problems. That's what they're actually saying with this bill. They're suggesting that the collection as it stands today is problematic when it comes to being able to be fiscally managed.

The problem I have with this and what I see here is that the minister doesn't seem to understand very much about the art community. She is sending shock waves through the art galleries in this province because of this bill. The Ontario Museum Association and the Ontario Association of Art Galleries have written and said to you that there are serious implications here to Ontario's hundreds of cultural and heritage institutions as a result of Bill 112.

You obviously don't want to hear what is the truth. In 1982, Robert McMichael signed an agreement that he should be founder-director emeritus of the corporation, with such powers as were assigned to him from time to time by the board. That means that he did not have control. He signed it away. This bill has nothing to do with fiscal accountability. This has to do again with control. You are creating a serious confusion in the art community, Minister, and if you are a minister who understands the culture of this province, I ask you to withdraw this bill for the sake of decency for the cultural community in this province.

The Acting Speaker: Response.

Mr Gilchrist: I want to thank my colleagues the members for Renfrew-Nipissing-Pembroke, Hamilton West, Durham and Sarnia-Lambton for their thoughtful comments.

I am again struck by some of the things we hear from the other side. To the member for Hamilton West, I think if there were no other compelling reason to appeal the original court ruling, it's the fact that many people suggested that every subsequent art acquisition could be subjected to litigation. Such was the lack of clarity in the original court—

Mr Christopherson: Not the issue. You know it.

Mr Gilchrist: That is my understanding.

To the member from Sarnia-Lambton, no one over here is suggesting that the nature of the collection is what has led to a \$1.6-million deficit. It is precisely the fact that there has been a lack of focus. The bottom line is that this bill guarantees that there's not just the board but that there's the art advisory committee, which is the only real role for the McMichaels. We talked about control. The other side talks about control. Math class may be an awful long time ago for the members opposite, because there are two McMichaels on a committee of five, and the committee—let me read from the act—"makes recommendation to the board." Nothing binding, no control.

The fact of the matter is, to the member from Renfrew, I must suggest there is no return to those days and the kind of confusion, the kind of litigation, the kind of controversy that has vexed this institution far too long. It's about restoring the clarity of the original donation. It's about restoring the honour of a deal. It may not pass muster. The social contract may be the forte of one certain government over there, but the fact of the matter is that there was a deal with the McMichaels. This bill is about honouring that deal and keeping the asset a cultural treasure.

The Acting Speaker: Further debate? No.

Mrs Johns has moved second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

I have a letter:

"Dear Mr Speaker:

"Pursuant to standing order 28(h), I request that the vote on Bill 112 be deferred until October 4, 2000."

The vote will take place at deferred votes tomorrow.

It being very close to 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2124.

LEGISLATIVE ASSEMBLY OF ONTARIO
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M^{me} Johns

Vote différé 4395



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Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 4 October 2000

Mercredi 4 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 4 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 4 octobre 2000

The House met at 1330.

Prayers.

WEARING OF RIBBONS

Mr Dave Levac (Brant): On a point of order, Mr Speaker: October is Child Abuse Prevention Month, and all the members of the Legislature have received some materials and information regarding a purple ribbon campaign. I seek unanimous consent of the House to be able to wear the purple ribbons during that important time.

The Speaker (Hon Gary Carr): Agreed? Agreed.

MEMBERS' STATEMENTS

WATER QUALITY

Mr Michael A. Brown (Algoma-Manitoulin): I want to bring to the attention of all members of this House the unacceptable position of the people of Bruce Mines and Plummer Additional township. For months the townsfolk have been under a boil order for their communal water supply, this same communal water service that was downloaded from the province of Ontario without the necessary upgrades demanded by the town.

The town has been working very hard to remedy this situation, but clearly the town of 600 people cannot afford to provide the necessary upgrades to the filtration system itself. So where's the province? The Minister of the Environment refuses to meet with Mayor Jean Kettles. The minister of Niagara development and wines is absent without leave. The ministers need to step up to the plate and assure the town that the necessary capital funding is in place.

Businesses in Bruce Mines have undertaken expensive and extensive additions to their water systems just to stay in business. The people of Bruce Mines and Plummer Additional need commitments from this government today. They need the province to do more than lecture, impose costs, download and hand out report cards. They need a government which will commit dollars to solve problems. They don't need a government which has spent \$12 million since Walkerton on cleaning up its image. They need a government that will work with communities to clean up the water.

WALK TO SCHOOL DAY

Mrs Brenda Elliott (Guelph-Wellington): It gives me great pleasure to announce that the students at Gateway Drive and Westwood public schools of Guelph, in my riding of Guelph-Wellington, will be among hundreds of elementary schools and students across Canada and around the world who are participating today in a special event designed to make streets safer, make communities safer and improve the health of students and the environment. Walk to School Day is taking place across Canada, the US, the United Kingdom and other countries.

By encouraging parents and caregivers to walk their students to school instead of transporting them by vehicle, this annual event promotes physical activity, reduces air pollution from automobiles, and creates safer communities through reduced traffic hazards and more eyes on the street.

Walk to School Day is also an excellent opportunity for parents to spend some quality time with their children. This special day alleviates traffic congestion around schools at the beginning and close of each day and is part of a larger, ongoing effort to see students use their own transportation, like walking, biking and in-line skating, wherever possible.

Greenest City's Active and Safe Routes to School program was launched in 1996, following the success of similar programs in the UK, Australia, Japan and the United States. It addresses the physical inactivity of many Canadian children and of course contributes to the long-term health of our environment.

It's my view that this is a terrific initiative. I heartily congratulate the schools in my riding that have decided to partake in this heart-healthy and environmentally friendly event.

CARMEN ROAD OVERPASS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): Yesterday I questioned the Minister of Transportation on bridges and overpasses in my riding. Later in the day I presented a petition by the Stormont-Dundas chamber of commerce and signed by 500 people concerning the disrepair of the Carmen Road overpass. This is a serious issue of public safety, and I want to take this opportunity to ensure that the government members are listening.

There are currently six overpasses in my riding that need repairs. Three of these overpasses are in such ter-

rible condition that the municipality had no choice but to impose load limits and, in some cases, limit traffic to one lane. With traffic limited to one lane, it significantly increases the risk of accidents. It is only a matter of time until someone gets hurt or killed. The load limits force trucks, firetrucks, school buses and emergency vehicles to take alternative routes to get to their destination; increase the response time; and put innocent people's lives in jeopardy.

The current condition of these bridges and overpasses also negatively impacts the business community. In the town of Iroquois it is feared that many businesses will suffer financial hardship and possible bankruptcy if the Carmen Road overpass, which leads through the heart of town, isn't fixed immediately, and the same in other parts of the county.

I thank you very much, Mr Speaker, and I would suggest that the government use some of their political advertising money.

HOLY NAME OF MARY SCHOOL

Mr Bert Johnson (Perth-Middlesex): Last Thursday I had the opportunity to attend the opening and blessing of the new addition to Holy Name of Mary, an elementary school in St Mary's. This was a special celebration for both current and former staff and students.

Following the official welcome by principal Joe MacDonald and grade 5 teacher Sue Longfield—you'll remember that Sue was here May 23 with her grade 5 class—and presentations by special guests, the students of Holy Name of Mary school put on a skit to mark this special occasion. The celebration then wrapped up with a barbecue and open house.

I was pleased to be part of this official opening and I congratulate the Huron-Perth Catholic District School Board and the Holy Name of Mary school in St Mary's for their hard work in making this new building a reality. This new addition has eliminated the need for portables at Holy Name of Mary school. Students will now have first-rate classrooms and washroom facilities in a convenient, permanent location.

I am pleased to be part of a government that has invested in education and brought excellence to our schools. We are a government that has spent a record \$13.2 billion on education in the 1999-2000 school year. Clearly, Holy Name of Mary school in St Mary's is just one of those schools in my riding of Perth-Middlesex that are benefiting from our reforms.

Again I congratulate the students, staff and the alumni of Holy Name of Mary school and I wish them the very best for the future.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Michael Gravelle (Thunder Bay-Superior North): I want to use my time today to try to convey to the Minister of Education the anger, frustration and dis-

appointment that have been felt by high school students in my community of Thunder Bay and northwestern Ontario over the loss of extracurricular activities this school year. Whether it's on the football field or the student council, the impact of this loss is affecting thousands of students, whose growth and potential are being threatened as a result and whose enjoyment of their high school years has been severely diminished.

I've heard from hundreds of those students, and their voices need to be heard. Many of these students and their parents are actively working on a solution to this situation and, in doing so, are striving not to take sides. They simply want extracurricular activities to be part of their high school experience again. For that, I applaud them.

But the truth is that it is very much within the power of the Minister of Education to solve this problem. By giving boards of education more flexibility regarding the definition of instructional time, we can move toward a solution. With that flexibility, the school band can rehearse as needed for the regular band concerts we all enjoy. Without that flexibility, the band may simply cease to exist.

I understand, Minister, that you have moved down this road quite deliberately, first with Bill 160 and now with Bill 74. But today I am imploring you, on behalf of the high school students in Thunder Bay, to recognize the damage your legislation has brought about. Put away the hammer and do the right thing. High school students deserve a full educational experience, and it is absolutely within your power to see it properly returned to them.

1340

ROSH HASHANAH

Mr David Young (Willowdale): Today, Jews around the world are observing the Days of Awe, more commonly known as the High Holy Days. The High Holy Days begin with Rosh Hashanah, the Jewish New Year, and end 10 days later with Yom Kippur, the Day of Atonement.

Rosh Hashanah is a day of judgment, a day of remembrance, of introspection and of repentance. Rosh Hashanah is also a day of optimism. On Rosh Hashanah it is customary for families to attend their local synagogues and also to gather together for a holiday meal. Traditional foods sweetened with honey, apples and carrots are served, symbolizing sweetness, blessings, abundance and hope for the new year. A special prayer is recited: "May it be thy will, O Lord, our God, to grant us a year that is good and sweet."

Yom Kippur is the most solemn day of the Jewish year and is celebrated on the 10th day. Yom Kippur is a day of fasting, of reflection and of prayer.

I would like to extend to members of the Jewish community in my riding, in this province, across Canada and around the world a healthy, peaceful and happy New Year. La Shana Tova.

DOCTOR SHORTAGE

Mrs Sandra Papatello (Windsor West): Last week I spoke of Eva. Eva is an 85-year-old constituent of mine who has been waiting a year and a half to see a specialist, a neurosurgeon, about a degenerative disc which her family doctor says is certain to require surgery. Today, after a very busy week, we can confirm that we now have out-of-country support, through OHIP, to send her to Detroit within a couple of weeks to have that very necessary consultation with a neurosurgeon.

What I ask this House is, is this an optimal solution? I say no. What we want are very real solutions for the people of Windsor. But this is precedent-setting, because she is going there for the consultation and may in fact have to go there for required surgery. I'm asking our family doctors to do a review of their files and ask themselves, do we have Windsor patients who are waiting far too long for their consultation with specialists? With the lack of government action on this issue, with a lack of government leadership, for an underserved area where we lack significant numbers of specialists and family doctors this is only an interim solution, but I'm asking our family doctors to do a very thorough review. Windsor patients deserve to have the same level of care that exists in areas that have sufficient numbers of doctors.

I am asking the government to come forward with very meaningful solutions to a very significant problem.

TEMBEC

Mr Gilles Bisson (Timmins-James Bay): On Friday of this week I had the pleasure to participate in a very interesting project that was started by Tembec up in Timmins. What they are doing is trying to find a way to provide opportunities for First Nations communities across the north to deal with trying to find economic opportunity and hope for those people.

What was interesting was that for the first time we have seen a forest company in northern Ontario do such an undertaking. I want to underline my congratulations to Martin Michaud and Pierre Corbeil, the two people who spearheaded this initiative to bring the First Nations people and the companies to the table to try to find some mechanism by which we are able to deal with providing hope and opportunity for First Nations people across their area.

What was interesting was that Ed Sackney and Allan Linklater, who were both First Nations people working on this project, undertook a survey in the company to find out just how much first-line managers understood about First Nations communities around their mills. It was actually fairly interesting, the number of things they didn't know as front-line managers.

I think this is the beginning of a process to open the dialogue necessary to give First Nations people and the companies a way to find a way forward in helping to develop the economy in northern Ontario.

I want to say to the government directly: you're not at the table. We need you to play the role that Minister Snobelen and other ministers should be playing in making sure that the province is there, not just letting the First Nations and the employers do it alone but that the government takes its responsibility as well.

EDUCATION REFORM

Mr Doug Galt (Northumberland): I rise in the House today to talk about an invitation from the member for Parkdale-High Park to visit a school this fall. Frankly, I am pleased to see that the Liberal caucus is finally taking an active interest in visiting our schools and encouraging dialogue with teachers and students.

Since my election in 1995, I've visited many local schools, including visits to classrooms at St Mary's Secondary School in Cobourg, Trenton High School in Quinte West, and East Northumberland Secondary School in Brighton. Those are just a few.

In May 2000, the Minister of Education and I visited Camborne Public School, where we met with students, teachers and parents on the school council. We spent the afternoon with the teaching staff, listening to their concerns and answering their questions. Overall it was a very enjoyable and informative experience.

I must say to the members across the House, especially to the member for Parkdale-High Park, you are rather late in organizing these visits. But, as they say, better late than never. It's better late than never for the members opposite to learn about the success of our government's education reforms. I sincerely hope the opposition's intention is to learn about how we can further improve the education system and not to attempt to score cheap political points at the expense of students, teachers and parents.

VISITOR

The Speaker (Hon Gary Carr): Before we begin, we have in the Speaker's gallery today the former member for Elgin, Peter North, who was the member in the 35th and 36th Parliaments, if all members could welcome our former member.

INTRODUCTION OF BILLS

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE
LES FORMALITÉS ADMINISTRATIVES

Mr Hodgson moved first reading of the following bill:

Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts /
Projet de loi 119, Loi visant à réduire les formalités

administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement.

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I'd like to do a ministerial statement.

HIGHWAY TRAFFIC AMENDMENT ACT (IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT LE CODE DE LA ROUTE (DISPOSITIF DE VERROUILLAGE DU SYSTÈME DE DÉMARRAGE)

Mr Dunlop moved first reading of the following bill:

Bill 120, An Act to amend the Highway Traffic Act to establish an Ignition interlock device program / Projet de loi 120, Loi modifiant le Code de la route afin d'établir un programme d'utilisation de dispositifs de verrouillage du système de démarrage.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

Mr Garfield Dunlop (Simcoe North): This act provides for the implementation of an alcohol ignition interlock program for the province of Ontario.

1350

ONTARIO WATER RESOURCES AMENDMENT ACT (WATER TAKING PERMIT NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO (AVIS RELATIFS AUX PERMIS DE PRÉLÈVEMENT D'EAU)

Mrs Dombrowsky moved first reading of the following bill:

Bill 121, An Act to amend the Ontario Water Resources Act with respect to water taking permit notification / Projet de loi 121, Loi modifiant la Loi sur les ressources en eau de l'Ontario à l'égard des avis relatifs aux permis de prélèvement d'eau.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): The purpose of the Ontario Water Resources Amendment Act (Water Taking Permit Notification), 2000, is to require the director to notify a municipality and/or a conservation authority of an

application for a permit to take water that, if granted, will affect or is likely to affect its water supply. At the present time, municipalities and conservation authorities are not notified of these permits, which can have significant implications for land use planning and watershed management. This change has been requested by a number of provincial organizations, including the Association of Municipalities of Ontario.

STATEMENTS BY THE MINISTRY AND RESPONSES

RED TAPE REDUCTION

Hon Chris Hodgson (Chair of the Management Board of Cabinet): The Mike Harris government was elected and re-elected with a mandate to make government more efficient, lower taxes, create a positive climate for job growth and cut red tape. We're doing just that. We've listened to the public's concerns and we're responding with the passage of red tape reduction bills.

Today I have tabled the Red Tape Reduction Act, 2000, which builds on previous bills already passed by our government. This bill reflects the government's continuous fight against unnecessary rules and regulations that put a burden on businesses and get in the way of providing better services to the public. This bill offers the latest proposals to cut red tape in 15 ministries. If passed, it would remove two unused acts from the books and streamline 75 acts to provide improved customer service and more efficient government.

Among the changes, the act proposes to eliminate the requirement to apply for a change of name within 90 days of marriage. In these busy times, this requirement is restrictive and forces Ontarians to take this action within an arbitrary time.

This act proposes to protect consumers by prohibiting the charging of significant upfront fees by credit repair companies for services that consumers can do for themselves at little or no cost.

This act proposes to provide insurance benefits to volunteer auxiliary police officers if they are injured while providing service.

Mr Speaker, as you know, red tape reduction is about making it easier, faster and less expensive for both business and the public when dealing with government, encouraging investment in Ontario by breaking down barriers to conduct and manage businesses, simplifying processes to reduce overlap with other legislation and improving overall efficiency in customer service and finally, harmonizing and modernizing legislation among ministries.

I believe this bill provides us with another opportunity to meet these goals. I would encourage all members of this House to support this bill.

Mr Bruce Crozier (Essex): I am pleased to rise today to respond to this very minimal introduction that it

minister has given when what he is really going to do is amend 75 statutes and eliminate two of them.

I take particular note of part of his statement where he says that "red tape reduction is about making it easier, faster and less expensive for both business and the public."

We know that in the past, these guys have taken the environmental act and they've gutted it. That has made it easier for business. But you know, it makes it easier to pollute. Things were easier when the Walkerton tragedy occurred. We're going to want to look very closely at this to see that there isn't the same kind of reduction in regulations that led to the tragedy in Walkerton.

We know now that there's less red tape when it comes to amusement rides. We know what's happened there. There have been more people injured on amusement rides since the government got out of the business.

That part of the bill where they're going to reduce the fees for credit repair companies I take to mean that where someone's credit rating has been misused or abused, they're going to reduce the fee the companies charge to get that corrected. If they protected the consumer in the first place, you wouldn't have to go through any kind of fee like that.

I'm surprised that they even consider reducing fees when they've downloaded so much on to municipalities and fees have been increased so dramatically. Maybe they should have taken note about fees then. We had the Minister of Municipal Affairs just within the past day or two say he's going to make municipalities more accountable, he's going to make them report. What more red tape can that be? Why don't you talk to the Minister of Municipal Affairs?

Minister, we don't mind when you try to help people. You've mentioned two items here where, yes, it will make it easier for name changes and some changes in insurance for auxiliary officers. We don't mind when you help people. When you help those who should protect our environment, when you help those who are in our municipalities, our municipal government, we don't mind that either. But you're making it more difficult, and you're making it more dangerous in some cases, by your mad rush to eliminate regulations and what you call red tape.

We're going to be looking very closely at this, and if there's anything in this bundle of paper that takes away protection from the people who live in the province of Ontario, we're going to be asking you about that and you're going to be accountable for it, just the same as you have to be accountable for what happened in Walkerton.

Mr Dwight Duncan (Windsor-St Clair): There is one small provision tucked into this bill dealing with the Compensation for Victims of Crime Act. I'm surprised that the Attorney General didn't speak to it. Actually, I'm not surprised.

My constituent Mr Montforton's benefits ran out seven months ago and this Attorney General has done nothing at all since then to help him and his family. You

should be ashamed of that. You did not respond to our letters. You did not respond to our calls. You talk a good game when it comes to victims' rights, and the amount of increase doesn't even keep up with inflation. You ought to be ashamed of it. It's no wonder you hid it in this bill, a bill that deals with a whole bunch of things, a number of things that need careful and clear consideration.

You people talk a good game when it comes to victims of criminal acts, but you let someone who is the first person in Ontario whose benefits ran out wait seven months. You were notified more than a year ago that this problem was coming. You were told repeatedly in letters, in questions in this House and in statements, and what did you do? You ignored his pleas, you ignored the pleas of the official opposition, you ignored the pleas of Dalton McGuinty, my leader, and now you tuck your measly little response into a bill where it's hidden so you can hide your own crime, a crime where you ignored a victim, someone who was left in a wheelchair because of crime.

So I look at this and I have to smile. The message and the reality are very different for this government: all talk, no action; too late; and you didn't even raise the limits enough to compensate for inflation.

Mr Tony Martin (Sault Ste Marie): Here we go again: another political exercise by a government running out of meaningful things to do, trotting out another red tape bill. There's enough paper here to choke a horse.

This red tape bill was promised in the Common Sense Revolution and people out there actually thought you were going to do something where red tape is concerned, something meaningful and something helpful, and they were supportive of that. We would be supportive over here if there was truly a red tape bill here that was going to help government be more efficient and deliver programs more effectively and actually help people out there. Alas, as we saw with the last red tape bills—and we keep seeing them go through here; this is probably the third package we've had in the last six years—what we have is another Trojan Horse. It isn't about getting rid of red tape; rather, it's about doing away with very important regulation to support the agenda of this government, which is very clearly and simply to reduce government spending and to give tax breaks, to reduce government and to allow the private sector free rein to exploit and to pillage with no concern about environmental standards, about employment standards or about health and safety regulations. They are but a few of the things that are being attacked by this government in the use of this Trojan Horse, red tape bill that they keep trotting out here and running before us time after time.

1400

We've had a number of very troubling examples of what you and some of your overheated backbenchers are wanting to do by reducing red tape in this province. Last week Marilyn Churley, our critic for the environment, introduced Bill 96, the Safe Drinking Water Act. The Minister of the Environment, instead of taking it seriously, instead of taking a look at it and deciding what in

it they could use, how they could help us make sure that we protect the water of this province, called it just more red tape. If that's red tape, then we're in trouble here as we look at this package, because we don't know what's in here. We have no idea what little gems are hidden inside this mass of paper that we have in front of us here today. Call it just more red tape.

Can you imagine the Minister of the Environment, after what we've experienced in Walkerton and what has unfolded in this province over the last few months where safe, clean drinking water is concerned, responding to a bill coming forward in all seriousness from this side of the House to protect the drinking water of this province and calling it simply "an exercise in adding more red tape to this very important ministry," an exercise he should have more interest in? That is what happens when you ideologically reduce standards and regulations under the guise of reducing red tape. You put lives at risk; you put communities at risk. Water becomes unsafe, communities become unsafe and workplaces become unsafe.

Who knows what's in this bill? For example, just in the couple of minutes we had to take a look at it I saw a clause in the introductory section on page 8 that says that the government will be given the right to dismiss an appeal without holding a hearing where an appellant has not responded to a request by the board for further information within the time specified by the board. Rights that we thought we took for granted, that we thought were enshrined in the law of this land, now have been just tossed out under the guise of reducing red tape.

Even some of the government ministers have been taken by surprise. For example, when Frank Sheehan brought forward the results of the work of the infamous Red Tape Commission last year, it had in it pieces that would slash the Labour Relations Act of this province, going further than even the minister, Mr Stockwell, wanted to go. Can you imagine suggesting in this province in the year 2000 that we should drop the Rand formula under the guise of red tape?

But we only have to look at the origins of some of this red tape reduction to understand how ridiculous and foolish and un-thought-out this is. The Red Tape Commission falls under the aegis of the same orders as the gas busters and the crime commission in this province, and you know what a joke they were and what a job they did and how it's about nothing but public relations for this government.

I'm asking the government today to rethink their program, rethink their platform, consider the safety of the drinking water of this province and the people of this province, consider the safety of communities, consider the safety of workers and stop bringing in red tape. If you want to do something, do it through regular line ministries and involve us in that process so we do something right instead of this sham that we have today.

DEFERRED VOTES

McMICHAEL CANADIAN ART COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LA COLLECTION McMICHAEL D'ART CANADIEN

Deferred vote on the motion for second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1405 to 1410.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clement, Tony
Coburn, Brian
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Gary J.
Hardeman, Ernie

Hastings, John
Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Marland, Margaret
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
Ouellette, Jerry J.

Palladini, Al
Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob
Young, David

The Speaker: All those opposed to the motion will please rise one at a time to be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Christopherson, David
Cleary, John C.
Colle, Mike
Conway, Sean G.
Crozier, Bruce

Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hampton, Howard
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Levac, David
Marchese, Rosario
Martin, Tony

McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 37.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Referred to the general government committee please.

The Speaker: So referred.

ORAL QUESTIONS

ONTARIANS WITH DISABILITIES
LEGISLATION**Mr Dalton McGuinty (Leader of the Opposition):**

My first question today is for the Minister of Citizenship, Culture and Recreation. Minister, we in our party believe that people with disabilities should have every possible and reasonable entitlement to opportunity and to getting everything they need to find success in Ontario. Mike Harris promised to enact a strong Ontarians with Disabilities Act by the end of his first term, and he broke that promise. Last November, you promised a tough new act to meet the needs of people with disabilities.

Minister, you will shortly be breaking that promise too. I have here in my hand a copy of a secret cabinet briefing document presented by you. It's dated Tuesday, August 29 of this year. This is presented to cabinet's most powerful committee, and in this you make it abundantly clear that you have no intention whatsoever of putting into place any kind of legislation that is going to advance the cause of persons with disabilities here in Ontario. Why are you continuing to betray the rights of people with disabilities in Ontario?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me just say that the government has made a commitment that we would put forward an action plan in the first session of the House, and we intend to do that. We also made a commitment that we would come forward with legislation by November 2001, and we also intend to do that. We've made a promise in the Legislature.

Let me say that I completely disagree with the member opposite when he says Mike Harris didn't keep his promise. He put forward a bill that the disability community wanted to have another look at, to have some more discussions on, and we certainly have been doing that over the summer. We've done that in the past, and we will continue to do that in the future. We did what the disability community asked us to do: we withdrew the bill and we're working on it again.

Mr McGuinty: Minister, I have a copy of your recommendation to cabinet. It talks about a recommended approach, it talks about your action plan and it talks specifically about a new Ontarians with Disabilities Act. This is pretty good stuff. Listen to this: "This new act is going to use existing mandatory requirements and enforcement." They're going to use the existing Human Rights Code definition of disability, they're going to reference other statutes, and here comes the real teeth of his matter.

Interjections.

The Speaker (Hon Gary Carr): Order. Would the member take his seat. Rude comments back and forth are not helpful, I say to the member for Hamilton East. The leader of the official opposition.

Mr McGuinty: In addition to merely referencing existing legislation, the new and compelling legislative objective will be the following—and listen to this; this is nothing less than earth-shattering, groundbreaking and something we're all going to want to write home to our mothers about. It says this government is going to strengthen penalties for unlawful use of disabled parking spaces. That is the earth-shattering, compelling commitment being made by this minister.

I ask again, Minister—this is your document, your recommendation to cabinet—why are you continuing to insult and betray Ontarians with disabilities?

Hon Mrs Johns: Let me be very clear: the legislation and the action plan will be fair and reasonable. We have every intention of moving the bar forward so that people in Ontario have more access to more facilities in the province.

I have to say to the member opposite that I think disabled parking is a problem in this province. I think it's a disgrace that we have people who aren't disabled who have parking passes and use them. I think it's a disgrace that there aren't spots for people with disabilities to be able to park. If you disagree with us, please tell me.

Mr McGuinty: It's of passing interest to see that the minister is showing a little passion when it comes to parking spaces. What about everything else that Ontarians with disabilities need so they can enjoy opportunities in Ontario?

The cynicism which is found throughout this document is nothing less than breathtaking. On page 4 of this minister's document, this champion of Ontarians with disabilities, it says, "Public opinion research has shown that the general public has little awareness and interest in an Ontarians with Disabilities Act." It goes on to say, under "Anticipated Stakeholder Reaction," that "the general public may not have much interest." I want to tell you that we have one hell of a lot of interest in making sure Ontarians with disabilities have every opportunity. We want room for them at the Ontario table.

Why don't you admit you have given up as any kind of champion when it comes to the cause of Ontarians with disabilities?

Hon Mrs Johns: I couldn't disagree more. I see my job as minister responsible for disabilities as building bridges between the disability community and the private sector, the public sector—all communities—so we can all move forward together and lead by example. As everyone in the House will know, the ODSP that we have is the most generous plan in all Canada. This government spends \$6 billion annually on services for people with disabilities. That's an increase of—

Interjections.

The Speaker: Order. Would the member for Essex come to order, please. Minister.

1420

Hon Mrs Johns: This government spends \$6 billion annually on services for people with disabilities. That's an increase of more than \$800 million since Mike Harris came to government in 1995. I don't think anyone can

complain about the way we're moving forward. Let me once again confirm that we're coming forward with an action plan, as promised, and with legislation, as promised, to make sure that we move forward in the province of—

The Speaker: The minister's time is up.

New question.

Mr McGuinty: This is for the same minister. Minister, a short while ago I got off the phone with David Lepofsky, who represents Ontarians with disabilities. You met with him on September 8. I want to remind you that your document here that you presented to cabinet is dated August 28. You met with him a week later. You had already taken a hard and fast position.

I told him about this document. He said that during your conversation you assured him that you had an open mind and that you were still in a consultation phase. Now I want you to tell Ontarians with disabilities right now—because they are very, very interested in your answer—why is it that you told their representative—you sat across from him, face to face. He asked you, “Are you still consulting or is your mind made up?” You said, “No, my mind's not made up. I'm still consulting,” and yet a week earlier you submitted a recommendation to cabinet which clearly said that your mind was made up. Tell Ontarians with disabilities what this is all about, right now.

Hon Mrs Johns: Let me say that we continue to work on the action plan and the legislation as we speak. I'm always looking for information. In fact, the week before the House came back, I was in Washington looking at the Americans with Disabilities Act and other legislation that the States have, because as you know, when we come forward with legislation here it will be the first in Canada that we will be presenting. I'm looking at jurisdictions all around the world. I'm talking to all of the different ministries within the government to make sure that I understand the services we provide for people.

Let me also say that I've met with Mr Lepofsky more than once. I met with Mr Lepofsky last year at this time and this year at this time. In fact, Mr Lepofsky has had the opportunity of meeting with 13 ministers over the time that this government has been elected.

Mr McGuinty: Minister, if I go back to your document which you presented to cabinet, under “Strategic Goals” it says “Stakeholder Management and Issue Containment.” It says, “We will seek controlled opportunities to frame the discussion and get government messages to the media.” That's what your document says. See? Well, I want to tell you, Minister, you can forget about issue containment and you can forget about controlled opportunities to frame the discussion. You may not believe in the dignity of Ontarians with disabilities, and you may not believe in opportunity for Ontarians with disabilities, but we in this party do and there will be no such thing as issue containment.

Interjections.

The Speaker: The member take his seat. Minister of Education, come to order. Thank you very much. Leader of the official opposition.

Mr McGuinty: Ontarians with disabilities are looking for somebody in the inside of government who's going to champion their cause. Now it might be one thing if this document had been prepared by the cabinet or by the Harris inner sanctum and sent back to you, but for you to prepare this on behalf of Ontarians with disabilities and to introduce this into cabinet is nothing less than disgraceful. You have betrayed those people whose cause you're supposed to be championing. You should do the honest and honourable thing here and now: you should resign.

Hon Mrs Johns: It's hard to take criticism from the members opposite. As we all know, both of these governments were in power in the last 10 years and neither of them did one thing to help people with disabilities in this province.

As everyone knows, when the legislation is passed in the province of Ontario, it will be the first legislation all across Canada, and I think that's a milestone.

When we were campaigning—

Interjections.

The Speaker: The member take her seat. Member for Elgin-Middlesex-London, this is your last warning. Minister?

Hon Mrs Johns: In 1999, when we were all campaigning, the Liberals told the ODA committee that they could introduce legislation within the first three years of the mandate. We said that we'd be able to do it by November 2001. I don't want you to forget that we're moving ahead of you faster.

Let me also say that the NDP, who are sitting quietly here, even had a private member's bill with respect to this, and they did nothing with that bill.

The Speaker: The minister's time is up. Final supplementary.

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the same minister. The number one priority for people with disabilities is opening doors, not parking spaces. It's the dignity of entering a public building by the front door. It's the dignity of having access to education. It's the dignity of employment.

Your government has a mantra about jobs, but thousands of citizens in Ontario cannot even get to a job interview. There is 85% unemployment among our deaf community because of your funding cuts to translators. A real Ontarians with Disabilities Act would open the door to employment for people with disabilities.

Your plan will raise yet another barrier for the disabled. Minister, you are a barrier to 1.5 million disabled people in this province. Will you do the right thing now and resign?

Hon Mrs Johns: We've introduced \$800 million worth of new programs over the last five years to ensure that people with disabilities have more access, one of the best things that can happen for people with disabilities if

they need supports, and we've doubled those supports in the province of Ontario.

We're going to move, and we're going to be fair and we're going to be reasonable, not only for people with disabilities but also for those who are in a position to accommodate people with disabilities. That's an important balance that we intend to meet. The action plan and the legislation will come together by the end of the session and by November 2001. That's the commitment we made and that's the commitment we're moving forward to make.

WASTE MANAGEMENT

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment. Imagine our shock today when we find out that the very people who are supposed to vote on your so-called Adams mine proposal aren't being allowed to see the details of it.

Doesn't it bother you as Minister of the Environment that you've presided over such an absurd process, that the very city councillors who are supposed to vote on the Adams mine proposal aren't being shown the details of it? Doesn't it bother you that there's a gag order that stops them from talking publicly about the details of the deal?

Minister, if this is such a good deal—and your government says it is—why do you have to hide it in the backrooms? Why do you have to keep it secret from the public of Ontario? Will you tell us that?

Hon Dan Newman (Minister of the Environment): In fact, the contract that the leader of the third party is talking about is not a contract with the government of Ontario. So perhaps he may want to direct the question to the parties involved within that contract.

Mr Hampton: You're supposed to be the Minister of the Environment for Ontario. You're supposed to care about these issues. You're supposed to ensure before anything like this happens that it does meet the tests of public approval, that it does pass all the tests, that it isn't signed in a backroom somewhere.

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Let me get to some other questions. Since your government approved this deal, we've shown you that there exist drilling reports from the 1980s that show how fractured and cracked that mine pit is. We've shown you that in the last three months alone there have been three earthquakes within 30 miles of the proposed dumpsite. We've shown you that the company you're going to deal with, WMI from the United States, has been fined over \$50 million in the United States for environmental and other infractions. Doesn't any of that bother you?

Hon Mr Newman: I say to the leader of the third party that he knows that a full environmental assessment did take place with respect to this Adams mine landfill site. I want to assure him and all members in the House today that this government takes its responsibility with respect to the environment very seriously. We want to see the environment preserved and protected.

This project has undergone extensive and thorough technical analysis. There was the full environmental assessment that took place under the Environmental Assessment Act. There were hearings under the Environmental Assessment Board that lasted for six months, and the board actually attached 26 conditions to that plan. The certificate of approval that was issued carried with it 66 conditions. There were the eight independent peer reviews done on this project.

We have done our part with the environmental assessment process, and it is ensuring that the environment is protected in our province.

Mr Hampton: This minister wants to put on a good show. Why don't you admit that before you put together this so-called environmental assessment, you gutted the Environmental Assessment Act, and you gutted the Environmental Assessment Act so that you could approve this project quick and dirty? There was no assessment. There was a 15-day period—a 15-day period to consider a project that could have implications 100 years down the road. That is how inadequate, that is how ridiculous your process has been.

Now, as the evidence mounts, as you have to keep the deal secret, when you find out that you've had earthquakes in the area, when you find out that the pit itself is cracked and fissured and leaks, all you can say is, "Well, we approved it."

I want to ask you one more question that should give you pause for thought. Your partner in this deal is WMI. At one of their trial hearings in the United States, the trial judge, reflecting on their bad environmental record, said this: "Better that you do a deal with the devil than do a deal with this company." Does that bother you, Minister, or do you think that's OK, too?

Hon Mr Newman: I'm pleased that the leader of the third party has raised the issue of the Environmental Assessment Act. I want to note what the two opposition parties have said. The Liberals, in their red book, outlined that changes needed to be made to the Environmental Assessment Act.

But more specifically, I'm going to talk about the NDP stance and the position that I hope they still hold today. Former environment minister Ruth Grier stood in her place and outlined changes that the NDP knew had to be made. I want to quote her from April 15, 1992, in Hansard, when she said, "First, we want to provide clearer direction to proponents and the public." She went on to say, "Second, we want the government to review individual EA documents in one third of the time it takes today." She goes on: "Third, the ministry will be working with the Environmental Assessment Board to reduce the average length of hearings and use negotiation to reduce the need for hearings."

The NDP called for changes to the Environmental Assessment Act. The Liberals called for changes to the Environmental Assessment Act. We're the ones that actually made those changes.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): Again to the same minister. Yes, different governments have called for changes in process in terms of environmental assessment. You're the first government to gut the process.

The question I want to ask you now is on behalf of some people in Walkerton. With much fanfare, you're going to be mailing out your \$200 cheque scheme. The people in Walkerton want to know this: how is it that a year ago when they needed money to fix up their water system, your government's response was, "Sorry, no money"? After the Walkerton disaster, after six people died and 2,000 people became ill, you still haven't found the money and organizational skill to fix the water, but when it comes to financing your \$200 cheque scheme, there's no problem at all. Can you answer that question for the people in Walkerton? Can you answer it today?

Hon Dan Newman (Minister of the Environment): I wish the leader of the third party would be a little more specific in his questions. He raises these allegations here. But I want to tell you what we've done with respect to assisting the people of Walkerton to ensure that they do have a clean, safe supply of drinking water.

We've replaced 4.6 kilometres of water mains in Walkerton. The pipe replacement is complete and we're continuing work on the service connections within Walkerton. We've issued orders to stop using well 5 and ordered a hydrogeological study in the areas surrounding the other wells. There's an interim filtration system that will be in place by October 30. Each and every house and business within Walkerton is being sampled as part of our confirmation program to ensure the efficacy of the house-to-house decontamination, to ensure that has taken place. We've continued to supply an alternate supply of water to local long-term-care facilities, to the hospital, to the jail, with water that's being trucked daily from Hanover.

Mr Hampton: Let me add what the minister forgot to give in his response. The people of Walkerton did request money from your government to fix up their water system, and your government said there was no money. Six months ago people died in Walkerton and you still haven't been able to provide them with safe, clean drinking water. Six months ago you announced your \$200 cheque scheme, and there's no problem: you can find the money to finance that like nothing.

Three days ago, four days ago we had a chance to put forward a Safe Drinking Water Act for this province to really take the first steps to do something. What does this minister say? "Oh," he says, "it's merely red tape." Minister, explain to the people of Walkerton: you couldn't find the money to help them with their water system in the first place. You haven't been able to clean up their water since then. When someone brings forward a Safe Drinking Water Act, you dismiss it as red tape. How is it, Minister, that you can so easily find the money to finance your \$200 cheque scheme?

Hon Mr Newman: Speaker, I'll refer the question to the Attorney General.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): Unlike the leader of the third party, I have listened to the people of Walkerton, including last night when I was at the public meeting in the town of Walkerton. I can tell you, listening to the mayor, the deputy mayor, the clean water people, the people from the Ministry for the Environment, the medical officer of health and the people of Walkerton last night, that they're very encouraged by the progress that has been made. As the deputy mayor said last night, "There's light at the end of the tunnel and the tunnel is getting shorter."

They're looking forward to the establishment of the filtration plant. Tremendous progress has been made in a very difficult area. They're encouraged by their dealings and negotiations with the Ministry of Tourism, with my colleague Mr Palladini, the Minister of Economic Development, and are looking forward to a new day in Walkerton.

AIR AMBULANCE SERVICE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Northern Development. Yesterday we asked you some very straightforward questions. We asked why your government is privatizing the air ambulance service. We asked what guarantees you could provide so that the standards of care for the ambulance service would not be sacrificed as for-profit companies cut costs by cutting salaries. We asked why your government would risk losing highly trained paramedics who are providing a vitally needed service.

You had no answers yesterday, but today we understand you are saying: "Well, no final decisions have been made." Minister, if no decisions have been made, why have the province's flight paramedics been told they have to make a choice? They have to agree to work for a new private company or they have to offer their resignation to the government. Why were they told they had to make that choice by September 27?

Darren Tyler, one of those paramedics, is in the gallery today and he wants an answer. Minister, why are you privatizing the air ambulance service?

Hon Tim Hudak (Minister of Northern Development and Mines): I'm pleased to respond, as I did yesterday, to the questions from the member across the floor. The government of Ontario and the Ministry of Health maintain authority and management of the air ambulance system. We're committed to maintaining the highest quality standards for ambulance and emergency ambulance air services across the province. That's under the Ambulance Act. No changes whatsoever have been made to dilute those standards. We are committed to the highest possible standards. In fact, with respect to air ambulances, we are adding another plane in the air ambulance services to expand the quality of care and the quantity of care in the province of Ontario.

That's a totally different commitment from the members opposite. The fact of the matter is, part of it is already delivered by the private sector. If their view is to take all the ambulances back from the private sector, to pull it all back into the government of Ontario, if that's what they want to do, let's hear them; let them stand up and say what they would do.

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Mrs McLeod: Indeed, on your Ministry of Health's own Web site they boast about the unique program which is a successful marriage of private and public sectors, which is why we wonder why, on September 20, air ambulance paramedics were told by your Ministry of Health that they had to make a choice: either work for a new company or resign. They were given exactly five working days to make that choice. Today we have learned that every one of our critical-care paramedics has chosen to resign. We are losing 100% of our most highly trained paramedics, and your government is going to spend \$1.6 million to say goodbye to them. It makes no sense at all.

But more than that, Minister, these paramedics believe that your decision to take these final steps to privatize the air ambulance system is simply wrong. They are concerned that a new employer will jeopardize the standards of care by hiring people with less training at lower wages.

Minister, you are supposed to be the voice for northern Ontario. This is not just an issue for northern Ontario, but I can tell you it's a particularly crucial matter of life and death for northerners. What will you do to stop your government from taking risks with the lives of people living in our communities?

Hon Mr Hudak: I think what the member opposite knows full well but doesn't say in her questions or in her statements is that the service currently is contracted out to the private sector; 70% of those operating are on contract. The current contract expires in September 2001. The Ministry of Health is simply going through due diligence to let employees know that the contract is expiring in September 2001, giving them notice that an RFP will take place to see who should deliver the service in the future.

I'll tell you this in terms of delivering high-quality air ambulance service in this province: this province stands second to none. We're committed to high-quality standards across northern Ontario. In fact, we're increasing the level of service in air ambulances.

Interjections.

Hon Mr Hudak: They avoid my question. The Liberals' line is to add to the size of the public service, to take those who are currently contracted out, whether it's air ambulance or private sector health care, hospitals delivering the service—are they going to take all that back to the public sector? Where does the Liberal Party stand on—

The Speaker (Hon Gary Carr): The minister's time is up.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Community and Social Services. Let me begin by thanking you for your recent letters to the editors in Simcoe county newspapers, in which you congratulate the Simcoe county social services department on their success with the Ontario Works program. We've dropped caseloads from 11,500 to 3,800 since 1995, and I really appreciate the fact that you've acknowledged these employees.

I have another problem in my riding that I am concerned about. Many of my constituents have been extremely concerned about news that your ministry has plans to change how services are provided for people with developmental disabilities. Of particular interest is the suggestion in the media that you may be closing the Huronia Regional Centre, an employer of over 700 people in my riding. The regional centre is very important not only to the economy of Orillia and to the employees of HRC but also to the people who live there. Some have been at Huronia for all of their lives. Simply put, a lot of people's lives would be impacted if your ministry decided to close this facility.

Minister, can you say today whether you plan to close this institution?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): On behalf of the government, there's a real responsibility that we acknowledge that we have to provide supports to people with developmental disabilities in our communities. It's particularly important to help those vulnerable residents in the member's constituency at Huronia. I have had the pleasure and the opportunity to visit Huronia twice, once with him to meet some of the staff and to talk to some of the residents.

Over the last four governments we've all supported community living, providing more supports for people in their community, and I think that says a lot about the wise nature of that policy.

We have committed that before we make any decisions, we will take the time to talk to residents and to their families, to talk to the committed staff at Huronia and to the community. But our bottom line is simple: we want to work to ensure that every resident at Huronia continues to get good support.

Mr Dunlop: Thank you very much, Minister. I appreciate your answer, and I also understand that this facility has been downsized over the last 20 years. But I'm sure that you can also appreciate that this is a very important issue and that it is imperative that we have as much information as possible before a decision is finally made.

Most people who work with people with developmental disabilities acknowledge that there are numerous challenges facing these people. For some, even simple daily tasks like washing or going to bed require guidance of a professional, like the employees we have at HRC.

Individuals with developmental disabilities are some of the most vulnerable in our society.

Minister, can you please tell me what your ministry has in place to improve services for people with developmental disabilities?

Hon Mr Baird: We recognize that governments can do more. That's why earlier this year we announced a \$50-million increase in help for those people with developmental disabilities in our province. That was a big step forward. It was the biggest increase in the budget in more than a decade and it demonstrated our commitment to do more.

I talked to a mother in Burlington, 72 years old, who had taken care of her adult daughter with a developmental disability her entire life. At this time in her life she needs more support. We're creating more than 300 new group home beds, which is a good step forward.

I talked to some parents in Ottawa who are worried about the future of their daughter, who turned 21 this year. Will there be a place for her when she leaves our school system? We're setting up a new program to provide more day programming and supports for young people with developmental disabilities.

I've also talked to a lot of staff—hard-working, committed staff, for whom this is a vocation, not a job, about the high levels of staff turnover and the need to do more. Over the two years we're putting in an additional \$21 million to help begin to address that need. Again, it's not the full answer but it's the most significant increase in almost a decade.

ENVIRONMENTAL PROTECTION

Mr David Ramsay (Timiskaming-Cochrane): I have a question for the Deputy Premier. As you know, 60 protestors have blocked the ONR tracks crossing the Adams mine road for about the last 48 hours now. I'm sure the Solicitor General has briefed you and the Premier on OPP surveillance reports that state that Mohawk warriors have been seen in that area. I know that the Solicitor General is concerned about this situation. The Adams mine issue is about to blow up in the face of your government and I'm afraid that people are about to get hurt.

Ipperwash showed you preferred the tough approach to this type of situation. But here you have an opportunity to prevent disaster. Every day more and more experts are coming forward to say that the environmental assessment process was incomplete and flawed. The mistake that you made was not to allow all aspects of this project to be considered at the hearing stage. A full hearing will stand this situation down. Will you do that?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the Minister of the Environment wants to comment on the environmental assessment.

Hon Dan Newman (Minister of the Environment): Indeed, this issue, as all waste issues are, is very emotional. I want to again assure all members in the

House that we take the protection of the environment very seriously. I remind the member opposite that the project has undergone extensive and thorough technical analysis to ensure that the environment has been protected over the long run.

As part of our commitment to ensuring that the environment was and is protected, there was a full environmental assessment that took place in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment systems to ensure that groundwater contamination would be prevented. The hearings lasted six months. The board actually attached 26 conditions to that plan.

Mr Ramsay: Minister, I'm pleading with you to find a way to defuse this situation. Your government had a choice. You decided to scope off the hearings. You were the ones who decided to cut off the debate at the hearing stage to all aspects of this project save one. I think the conclusion of Don Smith, a member of the EA panel hearing the Adams mine EA, in his dissenting report, sums it up best, "When I weigh the totality of the evidence presented on all the above concerns I come to the conclusion that enough concerns have been raised that a proper exercise of the precautionary principle would lead us to say no to this project."

You are about to make the biggest mistake of your government. Opposition will continue to grow and will lead to a massive confrontation involving local residents and the First Nations of Ontario and Quebec. You have the power to prevent this. People are willing to die to stop this project. I'm pleading with you. Will you intervene and stop this crisis?

Hon Mr Newman: There has been a full environmental assessment done on this project. There were Environmental Assessment Board hearings. There was a judicial review. There was an appeal of that judicial review.

I want to quote the member opposite from March 25, 1994, when he sent out a press release that said, "It would be a shame to see jobs created by waste management go to the United States." He goes on to state, "Government should allow Metro Toronto to proceed with an environmental assessment of the Adams mine proposal."

That's what that member said in 1994. We had a full environmental assessment. We had the Environment Assessment Board hearings and there was a judicial review as well.

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SYL APPS AWARDS

Mr Brian Coburn (Ottawa-Orléans): My question is for the Minister of Culture and Recreation. I am extremely pleased today that one of my constituents and friends, Mykal Johncox of Orléans, will be the recipient of the new provincial Syl Apps Award for Excellence in

the junior male category. This will be awarded tonight at 6:30 pm in room 228.

As well, he will be joined by Sandra DiPasquale of Amherstburg, who was chosen in the junior female category.

This is a fabulous program, recognizing significant long-lasting contributions of young people to their community. Minister, can you share with the members of this House the background and purpose of these awards?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I would like to thank the member from Carleton-Gloucester for his question. Let me say that this is the inaugural year of the Syl Apps Awards. These are awards of excellence that go to young people who show a unique combination of attributes. If any of us can remember back to the days of Syl Apps, you'll know what those are: a strong and active participation in sports, a history of volunteer service and demonstrated community leadership.

Let me tell you, colleagues, that Mykal earned his black belt in karate at the age of 10. He is a golf enthusiast, a young lobbyist—I'm not sure for whom—a dedicated volunteer with many organizations, including the Children's Hospital of Eastern Ontario.

Sandra has participated in numerous sports, volunteered at international gymnastic meets, assisted Youth Service Canada and is a youth dance volunteer for the Optimist Club.

These are really impressive young people.

The Speaker (Hon Gary Carr): Supplementary.

Mr Marcel Beaubien (Lambton-Kent-Middlesex):

I'd like to acknowledge and thank my colleague for sharing his question with me, because I too have a young person who I would like to introduce from the township of Brooke, near Alvinston, in the Lambton part of the riding. His name is Andy Triest. I'm sure his parents and all of the community are very proud of this young man.

Also, I have the distinct pleasure of introducing Christy Marlow of Smooth Rock Falls, who will be the senior recipient tonight.

Minister, as you are aware, this is a new award. It's very important to have the young people in our communities involved, not only in the political system and in the volunteer system, but active and moving to care and participate in the events that go on in their community. My question is—

Interjections.

Mr Beaubien:—if you give me a minute over there on the other side of the House—it is an important issue, so give me a chance to ask my question.

Although I am aware of the criteria, I would like to know, so we can inform the young people of the province of Ontario so that they can continue to apply for these awards, what are the criteria and how—

The Speaker: Minister.

Hon Mrs Johns: I would like to thank my colleague the member for Lambton-Kent-Middlesex. As many of you know, he's my neighbour in politics.

I would like to say that these young people were chosen from 16 regional finalists and they were part of 130 nominations that came in from local municipalities and councils all across the province of Ontario. We know that as this award gets better known, we'll have more and more people applying for it, but let me say that we have some excellent candidates in the 16 I have met.

Let me say that Andy, who you were talking about, has participated in sports as a player, a coach, an umpire and volunteer, was a cultural exchange student to France, a school tutor and a mentor and a church volunteer.

Christy is an enthusiastic athlete and a community volunteer and takes an active role in her school and her community. She is a coach and she is a student trustee.

We have some impressive people in the gallery today. Let's give them a big round of applause.

FOREST MANAGEMENT

Mr Gilles Bisson (Timmins-James Bay): Prior to my question, on behalf of the NDP caucus I would like to congratulate the work done by those individuals in our communities.

I have a question to the Minister of Natural Resources. Minister, you will know that your ministry is currently developing forest management guidelines which will allow forest companies to clear up to 10,000 hectares of forest if these policies are put in place. That's equivalent to an entire township being clear-cut, a six-by-six mile square across northern Ontario that your ministry will allow to be cut if this policy goes forward. What's worse, you're going to allow this under the guise that this is good environmental policy as it will emulate natural occurrences of a forest fire. This massive clear-cut policy of yours will be, to say the least, a highly intrusive and destructive policy for our forest. Will you, as the steward of our forest, say no to this bad policy?

Hon John Snobelen (Minister of Natural Resources): I thank the member opposite for the question. It's an important question. Forestry is an important industry, an important activity in Ontario and one that we obviously spend a considerable amount of time on. For clarity, let me point out that in the area he's discussing, the area of the undertaking where forestry takes place in Ontario, we announced last year the Ontario Living Legacy, the largest single parks announcement in the history of the province, which protects 12% of that land from forestry of any kind, the most in any province in the country. We're very proud of that.

The cuts in the area that is allowed to be forested are done by scientific standards—the member points to some of those—that are done by regulations. Those are some of the most stringent and best-informed in the world, and they will continue to be.

Mr Bisson: You've gone out and saved a few trees, but you're going to lose the entire forest by way of this policy. It's quite simple. What you're trying to do here is give a gift to forest companies for having signed on to your Living Legacy policy. That's what this is all about.

We're moving from the ability right now of forestry companies to clear-cut from 260 hectares of trees up to 10,000 hectares. Minister, how can you allow that? You know as well as I do, you know as well as everybody else, that this policy in the end is going to be bad environmental policy and it will also be bad economic policy vis-à-vis what happens with the Europeans and the environmental movement. Do the right thing. Stop this thing cold in its tracks, and stop it while you have a chance.

Hon Mr Snobelen: First and foremost, I might inform the member opposite that, along with the announcement of the Ontario Living Legacy, the 6.2 million acres that the member says is a small amount of the forest in the province—I think that's a substantial amount, one we're very proud of. Along with that announcement, we made the announcement of an accord, a very unusual accord where the government, the environmentalist movement in Ontario and the foresters sit together and work together on the appropriate kind of forestry. We think that's a co-operative.

The member asked about the genesis of this. Let me remind him that the genesis of this is the original direction to emulate the natural disturbance and landscape patterns. That language comes from the Crown Forest Sustainability Act as introduced by Minister Howard Hampton back in 1994. That is the genesis of our cutting.

Mr Bisson: On a point of order, Mr Speaker: The minister across the way knows full well that we limited clear-cuts to 200—

The Speaker (Hon Gary Carr): That's not a point of order. New question.

WASTE MANAGEMENT

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the Minister of the Environment. It is hard to believe in the 21st century that anyone in Ontario should be afraid to drink the water. Unfortunately, the events in the spring have proven that for many they should be.

An American garbage company has asked your permission to dump 18 million tonnes of garbage on fractured limestone in the former Richmond township. This is a company which the local newspaper, the Belleville Intelligencer, reported has an atrocious record of environmental law infractions. Last Friday, hundreds of people from the township of Tyendinaga, the town of Deseronto and the Tyendinaga Mohawk territory rallied together to show their concern in a united voice against this proposal.

These people are afraid their water will turn to poison for generations to come. They're frightened that you won't protect the water. They're afraid you're just not up to the job. Minister, prove you are. Require a vote on this issue in all affected communities. Let the people have a voice. Show leadership and say, "I want to hear from you." Can you do this, Minister? Will you work with the Minister of Municipal Affairs to have a referendum by all

of the affected communities regarding this dump, and will you accept the people's decision?

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Hon Dan Newman (Minister of the Environment): I want to say to the member that protecting the environment is our first priority in the Ministry of the Environment, and waste management is indeed a growing global problem.

We've given municipalities the power to determine their long-term waste-management strategies, and with respect to the facility the member opposite refers to, I understand that Canadian Waste Services is looking for approvals for the expansion of their Richmond landfill under the Environmental Assessment Act, as well as the Environmental Protection Act. Our government approved the Canadian Waste Services proposed terms of reference, and Canadian Waste Services is now proceeding to prepare with an environmental assessment in accordance with the approved terms of reference.

The Speaker (Hon Gary Carr): Supplementary. The member for Sarnia-Lambton.

Ms Caroline Di Cocco (Sarnia-Lambton): Minister, you created the largest toxic waste dump in 1997, and by the way, you cut a lot of red tape and you fast-tracked the expansion. It's an American company, 70% of that hazardous waste comes from outside the province and it's going bankrupt. It has applied for bankruptcy protection.

For over a year Dalton McGuinty and this caucus have been asking you to address some serious problems, problems such as the integrity of the site. There's no full-time inspector there, where there are others across the province. Financial security provided by Safety-Kleen is grossly inadequate, and hazardous waste is still not treated, it's just dumped there.

There have been fires on that site, and your ministry doesn't even have people to respond after hours. You've received numerous letters on this.

Dalton McGuinty and this caucus want to know exactly what checks and balances you have put on this site since it was addressed to you last year with regard to these specific issues.

Hon Mr Newman: I take it the member opposite is talking about the Safety-Kleen site in Moore township. I don't think she addressed that in her question, but I believe that's the facility she's talking about.

I want to assure the people who live near that landfill site that we'll take necessary action to handle the situation and to safeguard the health and the environment of the people in that area. That's why the ministry works with Safety-Kleen on an ongoing basis to ensure that the highest environmental standards and protection are continuously maintained.

I want to indicate that the company has met the time frame specified in the orders that have been brought forward by the Ministry of the Environment, including the submission of a remediation plan for that portion of the landfill.

I say to the member opposite, to even suggest that the Ministry of the Environment doesn't have staff to do that

is simply wrong. We have a staff of people throughout the province who are there to respond, and we are there to protect the environment.

HYDRO RATES

Mr Doug Galt (Northumberland): My question is to the Minister of Energy, Science and Technology. Minister, electric utilities continue to be concerned with the expanding strength of Hydro One. They express the feeling that we're moving from having one mega-monopoly that's out of control to just having another mega-monopoly.

Hydro One was incorporated prior to June 1, 2000, and the rate of return has been established at over 9%. Municipal electric utilities were supposed to move to a similar regime. At the recent Ontario Energy Board hearings, a number of utilities pointed out discrepancies between Hydro One and the municipal electric utilities with respect to rates of return and costs of power.

Minister, could you verify these facts and please describe how these discrepancies constitute a level playing field.

Hon Jim Wilson (Minister of Energy, Science and Technology): I'd like to thank my colleague for the question. Certainly Hydro One was established as one of the successor companies to the former Ontario Hydro. It was necessary to break up that old monopoly, which embedded the wires business, the generation business and some other businesses all together in one big mess that created about a \$38-billion debt for this province. So the establishment of Hydro One, the commercialization of that company, is part of our plan, and we're the first government in recent history in this province to have a plan to pay down that old debt, to move these electricity companies into the public marketplace and to ensure that the customers in this province receive the lowest possible prices. That will come about when we finally open the market and introduce competition.

Hydro One really is a big "mun-y" in that it owns the monopoly wires business, and it has the same rules as all other municipal utilities out there today.

Mr Galt: Last Friday the Ontario Energy Board announced that any increased rates for electricity would be phased in. This decision in itself limits the ability of any utility to make significant rate increases. Bill 100 was designed to prevent municipalities from obtaining obscene windfall profits from their utility and then charging excessive electricity rates. Since the Ontario Energy Board announcement is essentially that, is it necessary to continue with Bill 100?

Hon Mr Wilson: It's a question we're getting from many of our municipal colleagues, the mayors and councils. I tell the honourable member that we're reviewing the OEB's decision of last Friday, which was designed to protect customers, and we're also going to look at the rate applications that municipalities submit to the Ontario Energy Board over the next few weeks, as they're required to do as a result of that ruling on Friday.

They have to resubmit, and from the talk I hear from the mayors and councillors around the province I've been chatting with over the weekend and yesterday and this morning, I think municipalities are going to take a more reasonable approach. Yes, they will eventually be able to earn a commercial rate of return for their new electricity companies, but they can't do that at the expense of prices or on the backs of customers. The Ontario Energy Board is there to protect customers. I trust they will do their job, and Bill 100 will help them do their job if we find it necessary to proceed with—

The Speaker (Hon Gary Carr): The minister's time is up.

HAMILTON-WENTWORTH DETENTION CENTRE

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Correctional Services. After numerous complaints on Friday afternoon, I paid a visit to the Hamilton-Wentworth Detention Centre. Let me tell you, there's a powder keg ready to explode inside this facility. This facility was built for 232 inmates. As of Friday night, there were 417 inmates inside this facility. The cells were shared by three prisoners: two bunks and one mattress on the floor.

Minister, under your funding, in the general prison population area there are only two guards to watch over 72 inmates. That is dangerous; that is unsatisfactory. The guards are doing a very good job under some very difficult circumstances. They're putting their lives at risk every day. Let me suggest to you that these working conditions are increasing their risk and putting their lives in jeopardy as a result of the moves you have made not to increase the funding and not to increase the staffing at the detention centre.

Recently, there have been two deaths and a number of suspected drug overdoses as well in the facility. We have some very serious problems. Minister, will you commit today to undertake a full review of the conditions at the Hamilton-Wentworth Detention Centres, including staffing levels, and make the necessary changes to make it safe for the inmates and particularly for the guards, who risk their lives looking after those inmates?

Hon Rob Sampson (Minister of Correctional Services): I will say to the honourable member across the floor that we have been reviewing the situation of the correctional facilities across this province for some time. In fact, we stopped reviewing those situations a number of months ago and made some decisions. Those decisions were to build brand new institutions and rebuild existing institutions to add to the security levels, to make sure that the previous government's lack of attention to corrections and building appropriate space was addressed by this government and addressed in a serious way. We're building new facilities in this province, investing just under \$500 million in new money into the system, so that we will have the capacity to deal with the cell demands that the justice system places upon us.

Mr Agostino: Minister, the reality is that as the population growth has occurred in the jails, you have not brought in the staffing and the help necessary for the guards today—not two or three years from now, but today—to safely do their jobs and not put their lives at risk any more than they have to.

Here are some of the other conditions: Two of the cells that I visited or I saw were posted with suicide watches. These are individuals who belong in a psychiatric institution, which you have gone ahead and shut down, not in a jail.

The guards were dispensing medication. You have cut the nursing staff in the jails, so you have jail guards now who are also dispensing medication to the inmates—again, not something that should be occurring in our facilities today in Ontario.

While I was there I saw a jail guard pick up a wooden weapon that had been left in a hallway. These are real conditions that those guards are facing every single day. Those men and women are risking their lives.

Let me suggest to you that your irresponsible decisions not to increase the funding and the staffing at those jails are responsible for the conditions that are there today. You are putting their lives in jeopardy by not giving them the right funding and the conditions to work in.

1510

Again, Minister, I ask you, before we have an explosion in that jail, before we have a tragic event occurring in that jail, before we have out-of-control riots in that jail, will you commit today to review the Hamilton-Wentworth Detention Centre staffing levels and give them the funding they need to make sure the safety of the inmates is—

The Speaker (Hon Gary Carr): The member's time is up.

Hon Mr Sampson: I thank the honourable member for the question, and I say we've already done that. If you take a look at the record—

Mr Agostino: You've done nothing.

Hon Mr Sampson: Do you want to hear the answer? If you take a look at the record, in 1989 the budget of that facility was \$17.5 million; now it's \$21.3 million. In 1989 the staffing level there was 252 full-time employees; it's now 270.

I know the Liberals have trouble with numbers, but the challenge here is, you've asked us to review the—

Mr Agostino: How many inmates did you have there?

The Speaker: Order. Member for Hamilton East, come to order, please. He has asked his question. Minister of Correctional Services.

Hon Mr Sampson: The member wants an answer and I'm trying to give him the answer. If he would sit and listen, I'm sure he would understand what I'm trying to say.

We're trying to deal with the inmate count across the province. I understand that. That's why we're investing half a billion dollars to build new cells. You wouldn't do that when you were in government. You paid no attention to corrections when you were in government. We think

public safety involves investment in corrections, not only for those outside the jails but for those who work and live inside them.

INFORMATION TECHNOLOGY

Mrs Brenda Elliott (Guelph-Wellington): My question today is to the Attorney General. Improving customer service for the people of Ontario has been a goal of our government since 1995. The world is clearly a more technologically driven place, and I would like to ask the minister what his ministry in particular is doing to use technology to improve the level of service for the people of Ontario.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for Guelph-Wellington for the question. The e-world is of vital importance to the people of Ontario, to the future of Ontario, to business in Ontario. We've improved the level of service we provide to Ontarians.

Bill 88, the Electronic Commerce Act, passed clause-by-clause second reading this week. That is enabling legislation to provide new tools to businesses that will make it easier, safer and more efficient. It will help businesses to become more competitive and more efficient. It will create new jobs.

The Ontario Evidence Act will be amended to permit electronic evidence to be used in Ontario courts, to set out rules for authentication and for satisfying the best-evidence rule for electronic records.

We also have the integrated justice project, which is bringing the three ministries responsible for justice issues in Ontario together. It will provide an integrated network between the police, through the court system, which means greater safety for the people of Ontario.

We're also bringing together an electronic form of the Revised Statutes of Ontario, which will provide easy access to the laws of Ontario for the people of Ontario.

Mrs Elliott: In particular, I was curious about what you're planning to do to create a Web site that will allow citizens up-to-date information on statutes; not only up to date but also easily accessible from across the province.

Hon Mr Flaherty: As members will know, over the years we've had these many volumes of Revised Statutes of Ontario. They were almost always becoming out of date. They could not keep up accurately with legislative amendments and other legislative activities. Now, 24 hours a day, when the Web site is there, anyone can access the statutes they need.

The statutes will be available in English and French. By the end of 2001 people will have access to amendments within 24 hours of amendment. Within 14 days of being enacted, updated pieces of legislation, including amendments, will be available on-line. We will continue to make those laws available, of course, in written form, in hard copy, for those who want them in hard copy. And people don't need to be lawyers to access this important information—the laws of Ontario. They will be available by Web.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

The Speaker (Hon Gary Carr): It is time for petitions, and today I will recognize first the member for Sudbury. The reason I want to do this is that today is his mother's 83rd birthday. So for Mrs Bartolucci, her son will start off petitions.

Mr Rick Bartolucci (Sudbury): Thank you. Happy birthday, Mom. Actually, this petition was collected by my mother and she did that at her local church, Our Lady of Perpetual Help parish. It says:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I thank my mother for getting these petitions, wish her a happy birthday and proudly affix my signature.

CHILD POVERTY

Mr David Christopherson (Hamilton West): I have further petitions from the West Hamilton Interfaith Committee on Child Poverty that read as follows:

"Whereas the federal government signed the United Nations Convention on the Rights of the Child and passed a resolution to eradicate child poverty by the year 2000; and

"Whereas at the first ministers' meeting in June 1996 the Prime Minister and Premiers made tackling child poverty a collective priority; and

"Whereas Campaign 2000 records the province of Ontario as having the highest increase—116%—in child poverty since Canada's House of Commons vowed

unanimously in November 1989 to eliminate child poverty;

"Therefore we, the undersigned, petition the Parliament of Ontario:

"To take immediate steps to eradicate the hunger of poor children by working vigorously with the federal government to reduce the poverty rate among Ontario's children; and

"To follow and implement the recommendations of the Early Years Study, commissioned by the Ontario government in the spring of 1998."

I add my name to these petitions.

McMICHAEL CANADIAN
ART COLLECTION

Mr Bob Wood (London West): I have a petition that I wish to present on behalf of the member for London North Centre. It is signed by 16 people and reads as follows:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would:

"constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"diminish the authority and responsibility of the board of trustees;

"limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers; and

"significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Legislative Assembly of Ontario:

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water-taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of

our water needs is completed. An independent non-partisan body should undertake this evaluation."

I very proudly affix my signature to this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): "To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

I add my name to this petition as I continue to support their demands.

1520

EDUCATION LEGISLATION

Mr Michael Gravelle (Thunder Bay-Superior North): Thousands of high school students in Thunder Bay in northwestern Ontario are devastated by the loss of extracurricular activities in their high schools and I've got all kinds of petitions I'd like to read.

"To the Legislative Assembly of Ontario:

"Whereas Bill 74 unfairly increases the teachers' workload, giving teachers little time to prepare, therefore compromising the education of Ontario's students; and

"Whereas teachers must spend all their time preparing for class, leaving them with no time for extracurricular activities; and

"Whereas extracurricular activities such as sports, school dances, clubs and the arts, previously playing an important role in creating a positive high school experience, are no longer possible;

"Therefore we, the undersigned citizens of Ontario, petition the Legislative Assembly to request the Minister of Education to revoke Bill 74 and work towards creating and maintaining a positive learning environment for Ontario's high school students and teachers."

I've got all kinds of signatures here from all across my community and I hope the minister is listening. I'll sign my petition with pride.

FARMFARE PROGRAM

Mr David Christopherson (Hamilton West): I have a further petition forwarded to me by Stan Raper of the United Farm Workers. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their

workfare program, forcing social assistance recipients to work on farms for their benefits; and

"Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative; and

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

I affix my name to this petition also.

LIQUOR CONTROL BOARD OF ONTARIO

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario appears to be once again moving toward the privatization of retail liquor and spirits sales in the province; and

"Whereas the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages; and

"Whereas the LCBO provides the best method of restricting the sale of liquor to minors in Ontario; and

"Whereas the LCBO has an excellent program of quality control of the products sold in its stores; and

"Whereas the LCBO provides a wide selection of product to its customers in modern, convenient stores; and

"Whereas the LCBO has moved forward with the times, sensitive to the needs of its customers and its clients; and

"Whereas the LCBO is an important instrument for the promotion and sale of Ontario wine and thereby contributes immensely to the grape-growing and wine-producing industry;

"Therefore be it resolved that the government of Ontario abandon any plans to turn over the sale of liquor and spirits to private liquor stores and retain the LCBO for this purpose instead."

I affix my signature as I'm in complete agreement.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I continue to receive petitions from the CAW. This is from Local 199 in St Catharines.

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by

workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

Since I'm in support of this petition, I proudly add my name to theirs.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledges that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This particular group of petitions is mostly from the fine communities of Elliot Lake and Blind River.

HIGHWAY SAFETY

Mr Michael Gravelle (Thunder Bay-Superior North): This is a very important petition, one we've been fighting for for some time:

"To the Legislative Assembly of Ontario:

"Whereas the volume of traffic is increasing on Highway 11/17 between Thunder Bay and Nipigon;

"Whereas this increasing traffic has led to more serious accidents and more frequent road closures along this stretch of the TransCanada Highway;

"Whereas many area children are met by their school bus along this highway;

"Whereas parents, school board officials and municipal leaders have urged MTO to develop and implement safety measures to ensure the safe passage of school children along this corridor;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to:

"move forward in the four-laning of Highway 11/17 between Thunder Bay and Nipigon;

"install school bus loading signs along populated stretches of the highway; and

"consider the development of pull-off laneways that allow for the safe school bus pickup and delivery of area children."

An important petition, signed by many people from my constituency, I'm proud to sign it.

NORTHERN HEALTH TRAVEL GRANT

Mr David Christopherson (Hamilton West): We continue to have petitions regarding the denial of equal rights for cancer patients in the north. The petition reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services"—

Interjection.

Mr Christopherson: Have you got a problem with this?

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

On behalf of all my southern constituents and my caucus colleagues, I proudly add my name to this petition.

1530

ORDERS OF THE DAY

DOMESTIC VIOLENCE PROTECTION ACT, 2000

LOI DE 2000 SUR LA PROTECTION CONTRE LA VIOLENCE FAMILIALE

Resuming the debate adjourned on October 3, 2000, on the motion for second reading of Bill 117, An Act to better protect victims of domestic violence / Projet de loi 117, Loi visant à mieux protéger les victimes de violence familiale.

Ms Frances Lankin (Beaches-East York): Yesterday, I read into the record the names and a bit about the lives and the deaths of approximately 44 women who have been killed by their intimate partners or ex-partners since the release of the jury recommendations of the May-Iles coroner's inquiry. Those recommendations were released in July 1998. The recitation of the women's names and the details of their lives and deaths for me is an attempt to break through what often in this place seems like the reference to this nameless, faceless group of abused women. It was an attempt to underscore the unique and heinous nature of domestic assault and intimate femicide in response to a particular comment in the Legislature that domestic violence is not just about male violence against women and the response of some MPPs in support of that comment.

I wanted to underscore that while I'm sure all honourable MPPs would agree that eradication of violence in our society is a goal that we all share—it's an aim that is laudable and one that in a civil society we must continue to strive for—there is a particular issue with domestic assault and intimate femicide and there are particular roots in our society that give rise to these conditions, to these situations, to this violence, to this killing. There are things that we as legislators, and in particular the executive council, the cabinet of Ontario as

the government of Ontario, can do that will make a real difference, that will in fact save women's lives.

At the end of what for me was a very emotional and painful reading of the names of those women, I asked us to consider the question, will the bill before us today do anything to save women's lives? Would it have saved even one of those women's lives? I have to say, regretfully, the answer is no.

Let me be clear. I indicated earlier that I don't object to the bill itself. I support the measures, however inadequate they are in light of the big picture we're dealing with.

I hope you'll excuse me; I'm suffering from the institutional cold that's going through the building, so it's hard to keep the voice going.

In fact, I want to say in particular to the staff of the Attorney General who worked on this that I think there was some fine work done on an issue of how to toughen up or make more accessible intervention orders or restraining orders. I think some of the things, like broadening the category of those people who can apply for restraining orders, including people in dating relationships dealing with stalking situations, are positive. I can say some positive things about the actual words that are on the paper, but I have to implore MPPs to look at the issue that we're trying to address and to understand how far short of the mark this initiative on the part of the government is.

Even this bill, if it is to be more than words on paper, requires initiatives on the part of the government to make it meaningful. Not coincidentally, some of those things—and I will highlight them—are in the nature of the demands that have been put forward by over 95 women's organizations that have now come together and agreed on the list of emergency measures to be implemented this fall.

I say again, and I know I'll continue to come back to this, I find it so hard to understand how the government cannot be moved by the incredible coalition of support that has come behind these demands: over 95 different and disparate women's organizations. What does it take to get you to listen? I don't want to, in your eyes, cheapen the debate by asking the question, but one has to wonder how you write off these voices so easily. One has to wonder why it's so easy for you to dismiss women's voices.

The legislation before us seeks to strengthen civil restraining orders, making them more accessible, broadening the conditions, criminalizing violation of the orders, broadening the category of people who can apply for the orders. None of that, in and of itself, is negative. You need to understand, however, that a civil restraining order, this new intervention order as it's being defined, is at the bottom of the list of the criminal justice system. It is less in its impact and import than bail condition orders or than peace bonds. It's sort of the lowest, most minor intervention. Even if it's to work, I ask you to look out in the field and understand how the community will access and be able to take advantage of this initiative.

Firstly, women's organizations are saying very clearly that for women to know and understand their ability to get this restraining order, there have to be community supports out there that women can go to to get this information. They have to know about it. They have to be given advice on how to access it and counselling on whether it's the right option for them at this point in time. There have to be services available that are culturally and linguistically suitable for communities so that women can get this information.

At the very time when we're talking about this, you will know that I raised in the House my concern over the cancellation of grants from the Ontario Women's Directorate to four women's centres this year and at least three or four more in the last two years. The minister responded saying, "No, we're funding more women's centres than ever before." With respect, I have to disagree. I have to ask you to take a look at what has happened: the money that has been expanded in the department of Ontario Women's Directorate has been reallocated and reprioritized in terms of the groups and organizations that it goes to. It is now going more and more frequently to generic organizations out there, for example, employment counselling organizations, which may have one particular program geared toward women. That is very different than women's centres which have specific understanding of the issues facing women, which can connect women to a range of social services that they need when they are looking to flee an abusive situation, which have connections and networks to the shelters, to the crisis hotlines, to housing programs and to counselling programs.

Your new criterion that's been put in place to expand funds is being diverted away from women's centres, which are the front-line organizations women feel safe going to in their community. Those centres can reach out and work with women. Perhaps women who first come don't want to disclose that they're in a situation of abuse. Maybe they're looking for other sorts of help. They build trusting relationships.

1540

The fact that those funds now have been withdrawn, because those particular organizations didn't make the request-for-proposal process and get their grants renewed, threatens the continued existence of those centres. In the case of North York, which I raised, that's a third of their funding.

I remember the history of stable funding to women's centres because I was at the cabinet table at the time we made the decision to put in place core funding instead of just project funding, to stabilize the centres so they would remain in communities and would be a secure place for women to come to. That's gone by the wayside with the decision to go back to project funding. You've got to understand the impact. So I ask how women are going to find out and know and access information about how to get these new restraining orders.

The bill extends accessibility, the 24-hour provision of service, so that women can get intervention orders

quicker. On paper, again, that's a very good thing. We currently have a shortage of JPs in this province. You've heard time and time again on the news things about traffic tickets and traffic offences being thrown out because the courts—provincial offences courts and others—are backlogged.

I didn't hear in this announcement where the major new investment is to ensure that accessibility of 24/7 has meaning other than on paper. I have to take that a step further and say, how is it going to be different for a woman going to a JP or a judge to get a restraining order, just because it's quicker and more accessible, than it is now when we're dealing with a critical lack of training of our judiciary with respect to this issue?

The May-Iles jury recommendations, the coroner's jury recommendations, called on the province, the Ministry of the Attorney General, the minister, to put in place a training program for the judiciary to deal with the issue of domestic violence and domestic assault, the risk assessment issue, so that when justices are faced with making decisions about whether to release someone on bail and what the conditions are—whether they should be released at all, whether a risk assessment should be ordered first—they have some education about it. The minister said, "No. They're independent. We can't do that." But as was pointed out in the coroner's jury report, the Ministry of the Attorney General has in previous years, under a previous administration, done specific sensitivity and educational training with justices around aboriginal justice issues. It has been done. It can be done. It takes the political will.

I want to remind you of all the women whose names I read yesterday and the number of times in those tragic deaths that their murderers had already had contact with the criminal justice system and been released on either recognizance with conditions or bail orders with conditions. The fact that they've been repeatedly released speaks to the need to talk to our judiciary about what the heck's happening. Why are they being let out again when they are clearly a risk and a repeat offender and violator of conditions? Without the training that has been recommended in May-Iles and in the joint committee report and by the women's organizations that were here two weeks ago, how is that judiciary going to be any better at handling these requests for intervention orders?

The training of the police in terms of how they deal with this—one of the things we always worry about when new initiatives and new measures like this are put in place is that they become an alternative to arrest and incarceration. Everyone is always looking at diversion programs to get people out of the system. When someone's a risk to someone's safety, when someone is hell-bent on killing an intimate partner, we don't want diversionary programs available to them. We don't want police officers to be able to recommend to a woman that she go and get this quick access of a restraining order instead of laying charges.

The program of education for police is going to be critical. And you know what? It's going to have to be

monitored, and the only people who will be able to monitor that effectively are the women's advocates out in the communities, again, whose funds have been cut. A recommendation, again from the May-Iles jury report, that there be independent women's advocates funded in our communities to help women interact with the judiciary and with the police and to monitor and advocate on the systemic issues here has been ignored by the government. It's part of the demands put forward by the cross-sectoral coalition of over 95 women's organizations that came here two weeks ago. That's a necessary piece if this is going to have meaning. I don't believe that you want this to be used as an alternative to charging people and incarcerating them, but someone has to monitor it and you'd better look to put in place the front-line advocates to ensure that happens.

The act also requires a woman to seek a lawyer if she wants to get the restraining order extended beyond 30 days. Where are the expanded resources to help women get through that system? One of the things that the government is planning on doing is a major expansion in the use of paralegal duty counsel in our legal aid system. That is not good enough. The complex issues involved in a woman's life when she is seeking protection from life-threatening abuse require more than a duty counsel for a half-hour and a different person every time you come into the court. Someone has to track it through.

Legal aid has got to be made available not just for the domestic violence issue but the family law issue. There are property issues; there are child custody issues; there are divorce issues. There are all sorts of things that come into this, and we've segmented off what women are able to access. Part of the demands of the over 95 women's organizations that were here a week and a half or two weeks ago was that you address that, that you understand that.

Where are the women going to get the legal help to get these restraining or intervention orders extended beyond the 30 days? It has to be done with the help of a lawyer.

I don't want to say that intervention orders and restraining orders are of no use, but a lot of people have said that they're not worth the paper they're printed on. I think this bill tries to make them a little bit more worth the paper they're printed on. But you still have to look at where they are in the hierarchy of things: as I said, below bail orders, below peace bonds. If bail orders are more serious, if bail orders already have a Criminal Code offence attached to breaching the conditions, and if that hasn't stopped some of the men I referred to yesterday who killed their intimate partners, how is this restraining order going to?

Gillian Hadley's husband had been arrested and released with conditions. He was arrested again a number of months later, in January this year. He was released by the officer in charge on his own recognizance with conditions. He'd violated conditions already; he's released again with conditions. In February he was arrested, charged with assault and violation of the conditions from January. He was released again on bail with conditions,

and he went out and he murdered Gillian. If someone is going to kill, do they worry about the criminal offence of violating the conditions of bail or an officer-in-charge recognizance or in this case now a restraining order?

The minister's announcement talks about expanded counselling for abusers in this situation. Gillian Hadley's husband was in anger management counselling, by the way; it was already part of the conditions. I find it amazing that in your announcements over the last little while, you're prepared to say you're going to expand the court-ordered counselling for abusers. Where is the expanded counselling for the women who are abused? That's what we're calling for, too.

1550

The Minister of Community and Social Services fought hard, I believe, for a budget commitment last year of \$10 million. You reannounced that, unfortunately, on the same day that the coalition of women's groups was here to make their voices heard. There were more than a few who felt that was an attempt of the heavy hand of government to silence them, to undercut their message. It was reannounced, but it's for counselling for children who witness domestic violence, and that's important, and it's for a very small bit of transition counselling. You know what? It doesn't even make up for the money that was cut from the shelters and women's centres in 1995. It hasn't made up for that yet. There's been no expansion in the number of beds, even though it was a commitment in your campaign Blueprint.

We're told that right now in Toronto—and this is a discussion I hope to have with the Minister of Community and Social Services in a bit more depth—there are over 300 women with their children who are victims of domestic violence and are in the regular emergency housing shelter system, not violence shelters, because there are no spaces in the violence shelters. There are communities that don't have shelters at all.

The May-Iles jury recommendations, which you so often quote as being proud that you're implementing a lot of them, called for a review of shelter funding. Why haven't you done that? There has to be an expansion in the number of beds, you have to increase the outreach workers who are in the existing shelters, and you have to do a review of the funding.

Where do women go after the emergency shelter? You cancelled all the programs for second-stage housing support, where women go to get their lives and their children's lives back together, to get some normalcy, to get the help they need to move on with their lives independently. You cancelled all of that. You must reinstate those programs: they're critical to help women save their lives.

Gillian Hadley had left the abusive situation. Gillian Hadley was looking to move again to get away from her killer. She couldn't find affordable housing to move to. She was on waiting lists for social housing. She couldn't access supports—they weren't there in the community—to give her an advocate, a helping hand to figure out her way through the system. That's what's needed.

Rape crisis centres: you cut their funding by 5% when you first came to government. You've not restored that. The Toronto crisis helpline can't answer all the calls that are coming in to it. They were flooded with calls last summer. With all of the news of the six horrific murders, women knowing that they themselves were at risk, they were trying to call someplace to get some help, get some advice. The helpline couldn't answer, and you know what? They're getting calls from around the province even though they're established as the Toronto help hotline.

For six months there's been a proposal in your government, inside the ministry, to establish a province-wide crisis helpline. Why haven't you responded to that? Who is taking a comprehensive look at this? Why don't you understand that the supports to women's community and social organizations in the communities that address women where they are in their lives, that have very specific target populations, that understand issues in cultural and ethnic communities, that understand the double oppression of women from those communities, that can help them, understanding the cultural sensitivity around some of these issues, find their way to safety have been cut?

You must respond on this front. Women have to have safe places to go for effective counselling and advocacy. They have to have safe places to go with affordable housing. They have to have sufficient economic income to be able to leave abusive situations. There has to be the access to adequate legal representation if they do end up in the criminal justice system. I remind you, and I'll do it over and over again, only 10% of abused women contact the police and only 25% of them end up in the criminal justice system.

What about the vast majority of women who are living in a situation of fear of violence right now, who need help and support, who can't get it in the community because of all of the cuts and the refusal to respond to the May-Iles jury recommendations on this front, to the joint committee on domestic violence report on this front and to over 95 women's organizations—different and disparate, as I've said—who've come together and joined their voices together on this package of emergency measures to be implemented this fall?

There are a number of ministries involved in the comprehensive response but much of this lies within the Ministry of Community and Social Services and the Ontario Women's Directorate, although the Ministry of Labour, the Ministry of Housing, the Attorney General, the Solicitor General all have a very clear role to play. But someone's got to take the lead and I implore the Minister of Community and Social Services, because I believe he's beginning to understand the message. I believe that maybe he's at a point where he can hear what the women's organizations are saying and that maybe he can take a role in co-ordinating a government response to ensure that the community, social and economic measures are put in place to save women's lives.

I'm saying to him that the representatives of those women's organizations want a signal of good faith from the government. They want to see the grants to women's centres restored; not employment centres that are offering programs to women, not the other community organizations that are doing good work, and we support the grants that you've given to them. The grants that you have cut from women's centres, the comprehensive community-based women's centres that are providing a range of social outreach and programming for women, the grants that you've cut that threaten the very existence of some of those centres—restore those grants.

Then let's talk about the package. It's been presented to you. You've had it for three weeks now—two and a half, three weeks. There has not been a response from the parliamentary assistant who attended the meeting, from the minister she reports to, the minister responsible for women's issues, from the Minister of Community and Social Services, for whom many of the demands fall directly within his portfolio, or from any other minister of the crown. Yet, when we started this session, the week before and on the first day of the session, the Premier of this province stood up and said that putting an end to domestic violence was going to be a priority for this fall session.

And what did that translate into? The bill that is before us today being debated. I ask you once again, would this bill have saved any one of the lives of the women whose names I read into the record of this Legislative Assembly yesterday, the 44 women who have been murdered by their intimate partners since July 1998 and the release of the jury recommendations from the May-Iles coroner's inquiry? Would it have saved one of those women's lives? The answer is no.

You know, this issue continues. I don't have the details; maybe the Minister of Community and Social Services does because as an MPP he represents an Ottawa riding. I understand that an Ottawa woman, a feminist, an activist, an advocate for women, was attacked this morning by her intimate partner with knives and power tools. She lived; she survived that attack. I understand that he was shot by the police. It's another tragedy and these tragedies happen every week in a horrific fashion and every day and many times a day in altercations of violence and abuse in women's lives.

1600

I'm not talking to you any more about a bill that makes it easier to get a restraining order. I don't know who it will help. Again I say to the drafters that it is well done. It's a really good attempt at beefing up restraining orders, which are the lowest of the criminal justice measures that can be taken. I am speaking to you about understanding the breadth of action that will be needed to actually have an impact and to save women's lives. It is not good enough for us all to stand and say we are committed to ending domestic violence. It is not good enough for a minister of the crown to stand up, like many ministers do on many issues, and use the rhetoric of,

"We're doing more than any government has ever done before." I am sorry.

Our understanding of the issue—the conditions in the province have changed over the last five years with the cuts to organizations that did provide support, the organizations that are desperately crying out for added resources because they can't meet the demand that's there, the women's organizations province-wide that have spent hours developing a desperate plea for emergency measures, a coalition coming together to back that, and there continues to be no response from the government on those initiatives. They're emergency measures. They're not the long term that we've got to continue to talk about. They are the things that need to be done today to save a woman's life tomorrow and there's no response.

Minister of Community and Social Services, I ask you, what does it take? Can you create a space for the powerful in your cabinet to hear from these women directly and respond to them? Can you pass something through your caucus and your cabinet that you're going to answer the questions, and if you're not going to respond on some of these issues, you're going to say why and we can have a debate about whether that's right or wrong? Can you take the package and advocate, in the end, if it's going to save lives—and there's such broad agreement that it will save lives—why it's not within your power to do it? The package that's been proposed has a price tag of \$350 million. That's 10% of the surplus that you're projecting for this year.

What is unacceptable is the continued silence, the refusal to answer, the refusal to engage in a dialogue, the refusal to respond to women's voices and to tell women if you agree, if you disagree, why you agree or you disagree, the continued hiding behind a long list of criminal justice initiatives as if that will solve the problem when only 10% of abused women go to the police and only a quarter of them end up in the criminal justice system. It's unacceptable that the Premier says ending domestic violence is going to be a priority for this session and the initiative to prove that is this bill.

Don't get me wrong; I'll vote for the bill. But, please, someone over there acknowledge—not in rhetorical terms of that of course there's more we must do; there's always more we must do—that this misses the mark in terms the response that's required today in our society to save women's lives. If all of us agree on that goal, and I believe that we all do, then a response is required.

If you are prepared to say that this is an adequate response and the initiatives you've put in place are adequate, defend that, and join with that your answer to why the initiatives that have been put forward as these emergency measures will not be implemented by your government. If you're going to look at them and you're going to respond to them, tell us that. Tell us what the process is. Tell us how long it's going to take to implement the emergency measures that, if implemented today, could save women's lives tomorrow.

We will continue to push you. We will continue to hound you. We will continue to want to drive an answer

out of you. If you tell us what your response is, if you tell us what the process is, we will join hands with you and help you accomplish it. The goal is so simple, it is so right, it is so just: it is a goal of saving women's lives. Please tell us how you're going to respond to the plea to save women's lives.

The Deputy Speaker (Mr Bert Johnson): Comments and questions?

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I would like to congratulate the member for Beaches-East York for her very impassioned speech on a very serious social issue. We've heard her speak on this issue before. It is a serious issue, the issue of violence against women.

This bill of course goes beyond that. It talks about domestic violence against women, domestic violence against men, domestic violence against children, domestic violence involving gay relationships and domestic violence with respect to elders. That's not to take anything away from the comments the member has put forward, but I draw to your attention that that is the intention of this bill. There may be other things that the government needs to do, as has been submitted by the member, but this bill talks about putting forward an intervention order. The member has indicated that she's supportive of that. Then of course she talked about a whole slew of other things, which she is entitled to do. Quite frankly, I think it's a step in the right direction. She has put forward some comments of criticism toward how this could be improved. That's something the government should be looking at: how do you get people, whether it's women, children, men or elders, to go to the police? That's a legitimate question.

However, this specific bill allows, in situations of domestic violence, for an intervention order. In fact, in section 3, which is the crux, the main point of the bill, it gives 13 conditions that can be put forward, which is quite extensive. I suggest that if members haven't looked at those conditions they do so, because I think they'll find it's a step in the right direction in dealing with domestic violence.

Mr Gerry Phillips (Scarborough-Agincourt): I too want to comment on the comments of the member for Beaches-East York. I think she has quite correctly spelled out for us in the Legislature the question that we need answered, and that is, is this the government's response? Has the government decided that at this time this is all they are prepared to do to deal with domestic violence? Is this what the government has determined? If it is, the member for Beaches-East York and I, and certainly those who are most involved in this issue in the community, would say that it is a totally inadequate response. As we are dealing with this bill, if this is going to be the only measure that we see in the next few weeks from this government, I think the member for Beaches-East York has the right to be as angry as she is.

If the government is saying, "You don't understand. We are going to be coming forward shortly with other measures," then surely we should know those measures. If we're going to be dealing with this bill, let's see your

program, because there is no doubt that this on its own is not going to make a substantive difference in domestic violence in Ontario.

I can hardly imagine a more tragic environment to be in than to be subject to domestic abuse. We all look on our homes as a sanctuary of peace and calmness. To have to return to that living hell daily and face that is unacceptable. We know what the solutions are. We know they'll work. We simply need to know from the government, are you prepared to move forward with them?

1610

Mr Tony Martin (Sault Ste Marie): I want to say to the people of Ontario, the members of this House and particularly the members of the government across the way that they really need to pay attention to what the member who has just spoken has said in this House today and yesterday. If you're at all interested in the issue of violence against women, the picture that she painted was just uncontested. We all know what's happening out there. It was painted in a very focused, precise and compelling way here in this House.

The argument that she made, not only on her own behalf—because she knows this issue backwards and forwards—but also for women out there who are being abused, who are vulnerable, and on behalf of the 95 women's organizations which have looked at the legislation that this government has tabled and critiqued it, is that it simply is not enough, particularly when you hold it up against the need for all of us to centre our effort on saving lives. It just doesn't do it; it just doesn't cut the mustard here. If the government is serious at all about initiatives to save lives, to protect women, to create an environment in Ontario where women can freely enter into relationships, go to work, live their daily lives without having to worry about being beaten up or threatened or ultimately killed, then you have to listen to the arguments that were put by the member for Beaches-East York.

I would suggest that all of you take time over the next day or two to take a look at Hansard and to read what she has put on the record, so that you might understand what it is that really needs to be done. You're the government. You have the power. You can do it. Please do it.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): The member for Beaches-East York is undoubtedly the most passionate member of this House on this issue; I know it's one she cares a great deal about, and has for some time.

I guess we all believe in going to the same place, in the same goals about what we have to do to address this plague which is domestic violence. The member for Scarborough-Agincourt talked about the sanctuary of a home. You talk to a number of constituents who talked about safety on the streets and how there is such a fear, and they just wait to get home and to reach that doorknob, put the key in, where they'll feel safe, and the

real tragedy for many is that's when the fear starts, not when it stops.

The member opposite won't be surprised to know that there may be some disagreement on how we get to that goal—what's the right mix of addressing the legal issues, the judicial issues, the criminal response, but so too the social response, the community response. If the view is, "Can we do more?" it's an unequivocal yes. I think we should have, and I think we are having, a thoughtful, fair and respectful discussion on this issue.

This bill isn't going to end this problem overnight. I don't think anyone is going to suggest that. It's a step forward—I'd argue a big step forward—together with the \$5 million to deal with child witnesses of domestic violence, the \$5 million to provide additional transitional support in the community to those shelters and with the increased number of domestic violence courts. These are a number of steps forward. Can we do more? Undoubtedly yes. These women's groups came forward and presented a plan with hundreds of millions of dollars of price tags attached to it two weeks ago. I think it's worthwhile to consider it and to reflect on it and to talk about the issue of the capacity of shelters, which I've indicated that we're extremely prepared to do.

The Deputy Speaker: The member for Beaches-East York has two minutes to respond.

Ms Lankin: I appreciate all the members' responses.

I say to the member for Dufferin-Peel that violence against all members in society is an issue for which we share a concern. I say to him, though, that the Premier of this province said there was going to be a focus on initiatives in response to six brutal murders of women this summer. You're saying this bill addresses a whole lot of other issues, and I agree with you, so I'm now waiting for the response from the government to the six brutal murders of women this summer, the 44 women who have been killed since the May-July jury recommendations, the 50 women killed in this country every year and what we can do in Ontario, in our province, to address it.

To the Minister of Community and Social Services, with whom I can always have a very direct and honest conversation and can make, I think, progress in our understanding of each other's positions—you said it would come as no surprise to me that there's a difference of opinion on what needs to be done and what the right mix is. You know what? I don't know what the difference of opinion is, because you won't speak about it. You won't answer.

When you say the \$5 million for transition supports in the community, the \$5 million for child witness, you don't acknowledge that it barely makes up for the cuts you made to shelters, you don't acknowledge the cuts to the rape crisis centres, you don't acknowledge the end of second-stage housing programs. You don't acknowledge, when you say the women were only here two weeks ago, that these issues have been raised over and over again. You don't acknowledge that the proposal for the

province-wide crisis hotline has been in the government for months and months now.

I want to have a respectful dialogue. I do want to have a process in which we make gains and we change things and we make things better to save women's lives. I'm asking you, pleading with you, to start talking openly. Tell us where your government stands.

The Deputy Speaker: Further debate?

Ms Marilyn Mushinski (Scarborough Centre): I appreciate the opportunity to join in this debate today speaking on Bill 117, the Domestic Violence Protection Act, 2000. I have to start off by saying that, having listened to the various points of view around this House today, I join with my colleague the Minister of Community and Social Services in recognizing the passion and commitment that the member for Beaches-East York has on this issue. I have to say that over the past few years I have been tremendously moved by that passion and commitment that she has so obviously given this House in terms of speaking in defence of this very serious issue.

The bill under consideration is about commitment. It's about commitment to creating safe communities where people can be safe and they can feel safe, not just in their homes but in their streets and in their neighbourhoods. Over the last five years, this government has taken a leadership role in taking very concrete action to protect and support victims of domestic violence.

I want to speak today a little bit about some of those initiatives, because I think it's important that it be repeated that we clearly have taken a stand on the side of victims. The programs we have taken clearly demonstrate that. For example, we've created and expanded the domestic violence court program. Indeed, it's become one of the largest in Canada and it's one of the most comprehensive of its kind in Canada.

I know the minister recently announced an expansion of those into my riding of Scarborough Centre, because the issue of domestic violence is a very serious issue and has been identified, certainly in terms of policing, by the police in Scarborough as perhaps one of the most serious and important issues affecting the whole issue of policing in my community of Scarborough.

1620

We've allocated an additional \$8 million annually to ensure that crown attorneys have sufficient time to meet with victims in preparing their cases for prosecution. All of these things are important measures toward ensuring that justice is not just seen to be done but is indeed done to protect the victims of domestic violence.

What this particular measure does is that it actually gives a voice to the victims in the justice system, something I've had serious concerns about over the last few years and is reflected in the intent of my private member's bill.

We've also expanded the victim/witness assistance program. That too is another measure we have done to really support the victims of domestic violence.

And yes, we plan to do more. I've heard a lot today about, does this bill go far enough? I think it's important for us to recognize that there are many, many things that we have to continue to do and to expand, and this is one of them.

To get victims in touch with the services they need, we've actually expanded the victim crisis assistance and referral service and the SupportLink program. To support families in crisis, we've expanded the supervised access program. I'm particularly pleased that these actions of our government have been taken really to make our justice system more responsive to the needs of the victims of domestic violence. They are important components that support victims and, more importantly, actually hold abusers accountable for their actions.

Bill 117 is one more step we're taking to protect victims of domestic violence and to hold offenders accountable. That's a promise we made in the Common Sense Revolution, it's a promise we made in the Blueprint, and it's a promise we made in the throne speech. So you can say that we are indeed keeping our promises.

The members opposite maintain that we have not supported victims through community-based programs. As a member of a community council for 12 years who was very actively involved in the development of community-based programs such as the establishment of the Scarborough Women's Centre, of which I was a founding member, and bringing about the first shelter for women in Scarborough, called the Emily Stowe Shelter for Women, I recognize the absolute need for supporting community-based programs. To suggest that somehow this government does not do that is a totally inaccurate portrayal of this government.

I want you to consider the facts. Some \$51 million has been allocated to support 98 emergency shelters and related services in 2000-01. We're committed to supporting women's shelters, because we know they help to keep abused women and their children safe. They also provide practical and emotional supports that are essential to helping women escape violence in their lives and to support children who witness violence.

Funding for shelters includes \$1.7 million which was allocated by my great colleague the Minister of Community and Social Services in 1999-2000 for crisis lines across Ontario. I hear a lot of rhetoric about our not supporting these kinds of community programs, but they're right within the allocation of the important ministries that provide these important services. These lines operate 24 hours a day, seven days a week and have fielded over 150,000 calls.

We recognize the important role that these lines, again, play by offering support and assistance to women in crisis. It's important that as we implement these kinds of programs we also continue to try to improve them.

Recently, the Ministry of Community and Social Services announced \$10 million annually to enable shelters to hire additional support workers and to establish programs that are specifically designed to help children

who have witnessed violence in their homes. These services have been identified as critical services by a broad range of agencies that serve abused women and their children, including the Ontario Association of Interval and Transition Houses, the United Way of Greater Toronto and the Joint Committee on Domestic Violence. So to suggest somehow that we're not listening to the very people who deliver these services I think maligns much of what our government is doing in supporting victims of violence.

The Ministry of Community and Social Services has also improved the means by which shelters are funded. We've simplified the funding arrangement by assuming the municipalities' share. Some \$21 million has been allocated to over 100 counselling programs for women and their children in 2000-01.

Approximately \$50 million has been committed to support innovative community-based projects that focus on vulnerable children and adults as part of the victims' justice action plan and \$10 million annually has been allocated for the expansion of community-based programs, including the victim crisis assistance and referral service, SupportLink and making services more flexible to meet the needs of northern communities.

We're expanding the victim crisis assistance and referral service, called VCARS for short, by as much as 50%. Managed by community-based boards, 26 VCARS sites across the province work in partnership with local police services, something that they themselves have identified as a priority in trying to protect victims of violence. The victim crisis assistance and referral service also helps victims to get in touch with community supports, something clearly identified as a high need by the member for East York, so that they can leave dangerous situations.

The victim support line is provided as part of the victim crisis assistance and referral program. The victim support line is a province-wide, toll-free, bilingual information line that provides referrals to victim services, information about the criminal justice system and automated notification about offender release from custody.

SupportLink, which provides safety planning that can involve cell phones pre-programmed to dial 911, would help to ensure that emergency response teams are alerted immediately if there is danger. The SupportLink program will be expanded by as much as tenfold. Currently, two successful SupportLink pilots are providing wireless phones programmed to access 911 to victims of sexual assault, domestic violence or stalking.

Safety planning assistance is also an essential component of this service. The program is delivered in alliance with Ericsson Communications and Rogers Cantel. An additional \$500,000 was provided to cover streamlined applications for emergency legal aid advice and the number of hours was doubled to assist abused women seeking restraining orders.

1630

Speaking about the legal aid process, I have to say that protection from domestic violence is the highest priority

for family law certificates from legal aid. Legal aid services to victims of domestic violence can be accessed through certificates that are available through legal aid area offices, duty counsel at the courts, advice lawyers in the community and at the family law information centres attached to the courts, and at the three family law offices in the provinces.

Legal aid provides 90 advice lawyers who visit shelters and community agencies to provide free advice to the public.

Certificates can be issued immediately and made retroactive for victims of domestic violence. Up to eight hours is available for restraining orders, in addition to the hours available for other family law matters.

Two hours of emergency legal advice is available to eligible victims of domestic violence by direct referral to a lawyer of the victim's choice. This program is administered through shelters, the victim witness/assistance program and community-based organizations.

In 1998-99 almost 3,000 women received assistance through our emergency legal aid service for women in shelters program. We also created the specialized services for abused women in partnership with the Barbra Schlifer Commemorative Clinic. This pilot project assists women who want to leave abusive relationships by providing direct legal services, advocacy and information about family law, landlord and tenant and immigration issues.

The number of supervised access sites will also be expanded to provide for safe visits between non-custodial parents and children. Supervised access centres are part of our ongoing commitment to ensuring the wellbeing of Ontario's children and families.

We've more than doubled the number of court districts served by the supervised access program, from 14 to 36, and we're further expanding this important program, from 36 to 54 sites, province-wide. Supervised access centres provide families with safe and neutral places where non-custodial parents and children can meet under supervised and controlled circumstances.

Fifty million dollars has also been committed to rent supplements to help house up to 10,000 families and individuals; 445 of these units have been allocated to victims of domestic violence. Victims of domestic violence would receive priority consideration for the remaining units. These subsidized units will assist individuals who are homeless or are at risk of becoming homeless.

The Ministry of Municipal Affairs and Housing, with the local housing authorities and consolidated municipal service managers, is presently reviewing and processing applications from interested landlords. To date, over 1,700 units have been approved, and applications from non-profit and co-op housing projects are eligible for consideration. This is expected to improve the approval of more units.

These are over 40 projects and initiatives in the areas of safety, justice and prevention to help meet the needs of abused and assaulted women in Ontario. Much of the funding supports are also for community-based programs

and services. In fact, this government is actually spending more to prevent domestic violence than it ever has in the past. We now spend almost \$135 million, which is an increase of over \$37 million since 1995. A further \$5 million will be added next year, which will bring the total to approximately \$140 million.

Domestic violence is an issue that affects us all. It affects us as legislators, as neighbours, friends, fathers, mothers and, finally, citizens of Ontario. It is a serious crime, and whether we've been victims of domestic violence, whether we know someone who has been or whether we have lived in a neighbourhood where domestic violence has occurred, we're all affected. We're affected in ways that negatively impact our communities because communities cannot prosper if we allow violence in our homes. We can't attract families, we can't attract business and we can't attract investments if we have unsafe communities.

We've sent a clear message and a clear signal that domestic violence is not to be tolerated in Ontario. An Act to better protect victims of domestic violence is another important step toward providing faster access and better protection for victims of domestic violence.

I still believe that Ontario is the best place to live, to work and to raise a family, and I believe it is important that we work together to assist victims of domestic violence and to help keep our children and our communities safe.

The Acting Speaker (Mr Tony Martin): Comments or questions?

Mr Dominic Agostino (Hamilton East): I'm pleased to briefly respond in two minutes. First of all, I think it's a positive tone that all members are taking toward this very serious issue. It's important for us to maintain that throughout this because it's clearly an issue that all of us are impacted by directly or indirectly in this province and the communities in which we live.

One of the areas we need to focus on that does as much, and that we have tried to address over the years, is the impact of domestic violence, particularly in communities of new Canadians and in communities of certain ethnic backgrounds where there's a whole stigma, a whole cultural negativity that is attached to a woman coming forward and reporting domestic abuse as a victim.

I can't tell you how many women over the years have come to see me in my office who have been repeatedly beaten by their spouses, abused physically and sexually. But they're afraid to step forward, not only out of fear of reprisal and a fear of further victimization, but out of fear because of cultural or ethnic beliefs and traditions and values. Often they are isolated from the rest of their family when they do that. All of a sudden they are blamed for it. They are victimized again by their family.

Those are the types of issues, as we look at domestic violence, that we've got to address. We just can't ignore that. We've got to deal with these individuals so that there's a comfort level, there's an understanding and there are support programs in place to ensure that when a

woman comes forward the resources will be there, and that we educate as much as we can in the prevention area. It's an area that often we don't talk about. It's often unheard of because a silent victim is not only silenced by an abuser but silenced by her community often, by her family, by her relatives, by her neighbours, based on cultural and ethnic traditions and values that they have. It's an area that I hope not only this bill but other pieces of legislation in the future will address because it's a very serious problem.

1640

Mr Joseph Spina (Brampton Centre): I am pleased that our government has moved forward on this issue of domestic violence. I agree with members opposite and on all sides of the House that this is an issue that should not be tolerated in any of our communities and certainly not all across our province.

This bill is the first step toward getting the help they need to escape the abuse once and for all. I'm pleased that today, out of the \$5 million that was announced by the Minister of Community and Social Services for the transitional support program, the Salvation Army Family Resource Centre in Brampton will receive about \$133,400 to hire transitional support workers. That's part of our program to help abused women break free of domestic violence. I'm very pleased because the employees and volunteers of the Salvation Army Family Resource Centre in Brampton are probably the best resource we have for all people, but primarily and mostly for women to escape that domestic violence environment. I want to congratulate the hard work that is being done by the people at the Salvation Army Family Resource Centre. Having personally been there a few times supporting some of their Christmas activities, I'm very proud that they were recognized for the additional funding to go out towards this program.

Mr Phillips: This summer, among the most memorable situations in my mind were several cases of extreme domestic violence that all of us reacted to with horror. I just say to all of us, whatever we're doing right now is not working, it's not adequate and we need to do more.

This bill, which our party, the Liberal Party, and Dalton McGuinty will support, is but a small part of what we believe and, perhaps more importantly, what the people in the community who are involved in this on a day-to-day basis strongly believe. They brought forward to us a few weeks ago a series of recommendations and they said, "If you and the Legislature want to do something substantive, do these things." Frankly, they and we are still waiting for a response to it.

To me, firstly, if we all agree, which I think we do, that domestic violence is a significant tragic situation in Ontario, there continues to be a totally unacceptable level of it. Forty-four deaths are unacceptable. If we believe that the steps in this bill are but a small part of the solution, we should be today debating the other parts of the solution and, if not today, the government should say to the members of the opposition and the public, "Yes, we have substantive moves coming in the next few

weeks." That's simply the demand that's been made by the opposition; it's still to be responded to by the government.

Mr Gilles Bisson (Timmins-James Bay): I guess what bothers me in what we're hearing from across the way is that the government tries to make us believe, at least the backbenchers and the ministers through this bill, that this is going to be the answer that's going to deal with the very serious issue in our society of violence against women. They've put forward this bill as sort of the answer to that problem. I just really get a sense that they don't get it. They really don't.

As I speak to people, for example, at the women's shelter in my riding or I speak to people at the crisis centre in Timmins and talk to them about what the problem is, they say, "Listen, Gilles, the reality is that less than 10% of women who are sexually assaulted actually go to the police and, of that, only 25% of them ever get to court."

What we need government to do is to support community programs that deal with the issue way before it ever gets to the courts, to give the women the kind of support they need, to try to break some of the attitudes we have in our society of men towards women but also, quite frankly, to deal with some of the issues of how we support women in our community. I guess it would be easier for me to accept at face value what the government is saying if I would see the government make inroads in those particular areas.

I sat in this House, Mr Speaker, as you did, and watched this government close eight women's centres across this province—a government that says it's serious about dealing with violence against women, a government that has cut a number of other community programs that are earmarked to deal with the issue at the frontline, giving women the kind of support they need. So I have a really hard time accepting the line of the government that this is an important first step, because if we measure this as a first step, I'm afraid to say, it's a pretty small one.

The Acting Speaker: Response?

Ms Mushinski: I'd certainly like to thank the members for Hamilton East, Brampton Centre, Scarborough-Agincourt and Timmins-James Bay for their comments. I must say, it is nice to see the somewhat non-partisan way in which my comments were responded to.

I should say, in response to the member for Hamilton East, who spoke about the whole fairly new area of dealing with domestic abuse and some of the cultural issues with respect to our very culturally diverse community, that indeed, when Mrs Cunningham was the minister of women's issues she introduced and expanded the whole area of cultural interpretation into our court system in recognition of the fact that many of us do represent many culturally diverse communities that have specific needs, especially as they pertain to cultural interpretation. That is another issue where I think this government clearly respects the fact that the whole issue of domestic violence is not a simple issue. It's a very diverse and

complex issue, but it is one that I believe all members of this House are completely committed to eradicating in this province.

The Acting Speaker: Further debate?

Mr Phillips: I'll be sharing my time with my colleague from Ottawa-Vanier.

I appreciate the chance to debate this bill and to get some of my thoughts on the record. I can hardly imagine a more tragic environment than to be subject to domestic abuse. As I said earlier in the Legislature, we're all fortunate. We go home to an oasis, a place of calm and civility, and without that, many of us would have some challenges here. We face enough challenges in our workplace but when we go home, that's where we get our nurturing and our love and our caring. As I said, I can hardly imagine the pain that a woman must go through to, in her own home, face physical and mental abuse.

We see the statistics—the 44 women who have died as a result of physical abuse—but we know from those who know the field well that that's merely the tip of the iceberg of the amount of domestic abuse that goes on. I gather that nine out of 10 women who face domestic abuse do not attempt to deal with it through our police organizations. For one reason or another, it just doesn't happen. So we're dealing with a situation that is somewhat less public than other situations we deal with, but one of the most tragic ones that one can imagine.

1650

Most of us have been fortunate. I was certainly most fortunate. I grew up in a home that was peaceful and calm—I was lucky—and that provided me with a warm, loving environment. I always felt very comfortable at home as a child, and today even. But you can simply imagine, for the woman and the children involved in that, how utterly tragic it must be to face that on a regular basis. There were few instances of events in the summer that are more memorable in my mind than those horrific domestic violence incidents that we saw in Ontario. So whatever we're doing, it's not working; 44 deaths is testimony to that.

What we have today is a bill that our party, the Liberal Party, and Dalton McGuinty will be voting in favour of. It is part of a comprehensive package, but it's only part of a comprehensive package. We really should be dealing with the entire package. We would like to hear from the government when they will be coming forward with the other components of that. It isn't as if we don't have the answers to it. We have the May-Iles inquest results. Justice Baldwin then took it a step forward to give us recommendations and the coalition of groups that deal with domestic violence brought forward recommendations to us. So we have those recommendations.

I might note, on a small personal note, that I developed intense interest in the Iles-May inquest. I coached hockey for 30 years, and four years ago a young boy came to our team a little bit late in the season. I wondered why it was late in the season, but his name was Iles—he was the son of Randy Iles—and he came to play for our team after this incident. So my awareness of the

incident and obviously, then, my interest in the May-Iles inquest was heightened.

The first thing we all have to acknowledge, and I do think most members of the Legislature would, is that this is a problem that needs our attention. For those people, those women in those situations, it is an unimaginable hell on earth. The solution we have before us today is but part of it, so we have to put a priority now on coming forward with the rest of the solution. The government is right now running a surplus probably of over \$4 billion this fiscal year—at least \$4 billion—and surely this is an area where we can invest in dealing with an unacceptable situation for a significant number of the citizens of Ontario.

What are those solutions? The people involved in it tell us, and I agree, that they need second-stage housing. They need housing after the shelters where, on a somewhat more long-term basis, they can have a safe, caring environment in which to live. We know that the help lines should be expanded across the province, and multilingually.

I might add, just as an aside, that 10 years ago in my community the Greek Orthodox Church of Canada established a program dealing with wife assault. I give His Eminence Archbishop Sotirios a lot of credit. He led this, set up this program in one of his churches. It takes some courage to acknowledge. Wife assault, woman assault, exists in every community. It is not unique to any one community. As I say, I commend the Greek Orthodox Church and His Eminence Archbishop Sotirios and St Nicholas Church for implementing it.

But those are the sorts of programs we need to invest in. The shelter funding has been cut by 5%. That is funding that should be restored. The coalition of women's groups dealing with this issue said, "There are certain things we need to do to help to deal with this situation on an emergency basis."

Before I turn my time over to my colleague from Ottawa-Vanier, I'd just once again say that I can barely imagine what it must be like to live in a mentally and physically abusing situation with an abusive spouse. We only see those who are the victims in a very major way, hurt or dead. We don't see the dramatic numbers that aren't reported. Nine out of 10 women are reluctant to go to the police, for a variety of reasons, some understandable. Fear of: "If I now leave my abusive partner, where do I go? Will I be able to feed my children? Will I have a place to stay? Can I provide an environment for them?"—terribly emotional problems.

This solution, this proposal, this bill, is but one part. We had very much hoped that the government would have come forward with a comprehensive plan. The Premier indicated over the summer that this was a huge priority for the government. We hope the government will take the opportunity, before we pass this bill, to announce that they will be coming forward this session with a more comprehensive plan.

Mrs Claudette Boyer (Ottawa-Vanier): Thank you for allowing me to voice my thoughts on the very

important topic of domestic violence. As a woman, this topic is one of great importance. I know of not one woman, no matter how rich, how old, how educated or how influential, who does not think about this threat at one time or another. This issue is one which crosses partisan lines because it is one which affects us all, regardless of party ties.

Oui, c'est vrai. En tant que femmes, ce sujet n'est jamais loin de nos pensées. C'est un sujet qui nous affecte, non pas parce que nous agissons d'une telle manière ni parce que nous pensons d'une façon différente ou parce que nous voyons le monde d'une perspective différente. La violence faite aux femmes est un dossier qui nous affecte tous et toutes, hommes et femmes.

Mothers, daughters, sisters and cousins all are affected by this tragic problem. On November 25 last year I rose in this House to speak on this very same topic. At that time, I argued that violence against women was a crime, but that tinkering with the criminal justice system was not a strong enough response. I said that women who have been violated need counselling and compassionate assistance to heal and prepare for a life free of violence and financial dependence.

Malheureusement, ce gouvernement n'a pas écouté à 100 %, et encore une fois nous nous trouvons avec un projet de loi qui vise uniquement à punir les abuseurs. Notre caucus, sous l'habile leadership de M. McGuinty, a toujours appuyé des mesures visant à contrer la violence faite aux femmes. Ce projet de loi n'améliore aucune-ment les services disponibles aux femmes victimes d'abus.

This is a government that speaks endlessly about victims' rights, yet at the very same time, with this bill, they are taking the focus off the victims. We need to focus our time, our resources and our efforts toward helping women who are victims of violence instead of focusing solely on the best and harshest way to punish the abusers. I repeat, we must focus on the victim.

1700

If this government thinks this bill will prevent violence against women, they are wrong and they should stop saying it will. It will do nothing of the sort. I agree it will provide stricter punishments to the abusers after the fact, but really I am not sure Ontarian women are going to sleep any better tonight knowing that fact.

Here is an example of what I mean when I say the government is focusing on the abuser instead of the victim. One of the good changes that will come out of this act is that breaches of the new intervention orders will be enforced according to provisions of the Criminal Code. All this means is that if an abuser ignores a court order, he will now be charged under the Criminal Code. I'm fully supportive of this measure, just as my party is, but where does the victim fit into this? We know where the abuser stands but what about the victim?

Il y a quelques jours j'ai parlé à la directrice de la Maison d'Amitié, qui est une maison pour les femmes abusées, qui est située dans mon comté d'Ottawa-Vanier. J'ai jaser avec elle pour m'informer de ce qu'elle pensait

de ce sujet. Comme bien d'autres, elle craint que les changements qu'amèneront ce projet de loi sont plutôt cosmétiques et ne s'adressent pas aux vrais problèmes.

Pourquoi quelqu'un qui planifie un acte des plus horribles, soit l'abus, le viol ou le meurtre, aurait-il peur de briser cette loi qui le verra maintenant chargé sous le Code criminel ? Est-ce qu'une simple loi sur papier ne suffit tout simplement pas pour arrêter quelqu'un qui cherche à étouffer une vie humaine ? Pensez-vous honnêtement qu'un homme qui cherche à abuser, à violer ou à tuer sa femme sera détourné par les conséquences de cette loi ? Encore une fois, où sont les intérêts des victimes ?

Faisons une petite analogie. Voici ce qui me semble que ça signifie, les droits de la victime pour ce gouvernement : premièrement, un manque flagrant de fonds de ressources pour nos foyers pour femmes abusées ; un manque flagrant d'habitations à longue terme ; de longues listes d'attentes pour avoir accès à des conseillers professionnels ; et plus important, un manque de vision et de plan d'attaque pour éliminer la violence faite aux femmes.

J'aimerais quand même à ce moment ici aborder un autre sujet dans un autre rang. Dans mon comté d'Ottawa-Vanier nous avons, oui, comme je vous ai dit, une maison de passage francophone qui, comme toutes les autres maisons de passage dans la province, souffre d'un manque de ressources et d'appui.

Mais la Maison d'Amitié est spéciale parce qu'elle offre aux femmes victimes d'abus la chance de se faire servir dans leur langue. Maintenant il y en a qui nous diront que la langue et la violence familiale ne sont pas des dossiers qui vont de pair. Ils diront que le problème est premièrement qu'une femme ait accès à une maison de passage et que la question de langue est secondaire. C'est peut-être vrai. Mais je pense que cet argument ignore l'impact immense que présente la situation de violence familiale aux femmes. Je pense que les femmes abusées ont assez souffert par l'abus qu'elles se doivent d'avoir la chance d'exprimer ce qu'elles ressentent, d'exprimer ce qu'elles ont vécu dans leur langue, et c'est beaucoup plus facile de s'exprimer dans sa propre langue.

À Ottawa-Vanier, la Maison d'Amitié ne peut tout simplement pas accommoder toutes les femmes qui leur arrivent pour de l'aide et pour être servies en français. Les femmes sont donc renvoyées pour obtenir des services en anglais. N'étant pas à l'aise, qu'arrive-t-il ? Ces femmes ne vont pas chercher l'aide dont elles ont besoin.

Let me outline some of the requests put forward to the government of Ontario by women's groups in the province. Incidentally, the Liberal Party and the third party have both sided in support of these very modest demands. I don't think that the Harris government has done so, so let me outline a few of these demands.

These groups ask that the Assaulted Women's Helpline be extended province-wide.

SOS Femmes demande que la seule ligne d'urgence disponible aux femmes francophones devrait avoir leur base d'opération garantie, demande que 15 \$ millions soient alloués aux foyers communautaires indépendants.

They are asking for funding for women's neighbourhood groups. They are asking for funding for province-wide anti-violence groups and stable funding support for women's centres.

These demands are by no means excessive.

Ce gouvernement parle constamment des droits de la personne, mais ce projet de loi parle exclusivement des mesures punitives dirigées vers l'abuseur.

We know that this government has done considerably well playing up the tough-on-crime agenda. We know that it believes strongly in the notion of punitive justice. But what I cannot accept is that we end there. Punitive justice must be preceded by a strong commitment to real and true prevention. It is here where this government has continued to drop the ball.

Quand viendront les vraies mesures pour prévenir et enrayer la violence faite aux femmes ? Merci.

M. Bisson : Ma collègue M^{me} Boyer de Vanier soulève un point qui est très important et très intéressant : quand viendront les services dont on a besoin dans nos communautés pour nous assurer que les femmes abusées ont une place où aller et ont les conseils nécessaires et qu'elles ont les services dans la communauté pour être capables de trouver une manière de traiter ce problème dans la communauté ? Je pense bien que le point est que le gouvernement présent manque de vision, comme l'a dit M^{me} Boyer, et manque de plan de comment on veut s'organiser dans cette direction-là comme gouvernement provincial.

Ce gouvernement a pris une décision dès 1995 d'éliminer beaucoup de programmes d'aide dans la communauté pour ceux dans notre communauté, dans notre société, qui sont victimes dans cette situation, et le gouvernement essaie de mettre une bonne face à la situation en mettant en place ce projet de loi qui va en avant jusqu'à un certain point pour aider. On ne va pas faire semblant que ça n'aide pas beaucoup, mais c'est plutôt un plan de communication qu'un plan d'affaires quand ça vient à être capable de trouver des solutions aux problèmes dans notre société. On voit ce gouvernement qui, à beaucoup de reprises, a pris cette position sur beaucoup de questions sociales dans notre société.

On n'a pas besoin d'encore un autre communiqué de presse de notre gouvernement, d'encore une autre opportunité pour le ministre de se lever pour dire : « Regardez comment on a fait du bien. » On a besoin, de la part de ce gouvernement, d'un plan concret mis en place tel que suggéré par les coalitions des femmes de cette province pour trouver, finalement, une manière de traiter ce problème. Je dis que ça prend des sous, ça prend un plan, ça prend une vision, et c'est quelque chose qu'on veut voir chez notre gouvernement une bonne journée.

1710

Mr Doug Galt (Northumberland): I certainly compliment both the members who spoke on this bill, the member from Scarborough-Agincourt and the member from Ottawa-Vanier, and I compliment both parties for their support on this particular bill. Often the public don't understand why parties don't work together, and this is one good example of where they are. Both of them spoke on a very sensitive and very emotional issue.

The member from Scarborough-Agincourt made reference to growing up in a loving home, not being familiar with violence, and I can say the same thing. It was quite a revelation, new information for me, as I got older and became mature to realize that that kind of thing did go on. It was quite a surprise to me, but as time went on I started to realize just how serious this particular issue is.

There have been a few comments made, including by the member from Timmins-James Bay, about this bill being window dressing and not going far enough. But there is some real definition in this bill on what is abuse. There's the expansion to include other areas that haven't been totally covered in the past, different relationships people have, including elders, including children, and things such as dating. We've all heard about some of the things that apparently do happen on dating, which I find very disturbing, particularly when I have three daughters. I'm certainly very supportive of women and the issues that go around that.

This is a lot more than cosmetic change that has been referred to. I think there are some very definite moves being made here, and I compliment the minister for bringing forward this bill.

Mr James J. Bradley (St Catharines): As a number of people have now observed, one of the problems is that there's a total program required to deal with domestic violence. One of the components that I'm very concerned about is the lack of adequate funding for both first- and second-stage housing. If I can mention one place in St Catharines, it would be Women's Place in St Catharines, which is a shelter for people who are victims of domestic violence, and I can't think of a time when Women's Place is not overflowing with people. The staff are scrambling to deal with the circumstances that face those who are in dire situations when they arrive at Women's Place.

What you see happening now across our communities is that you see people scrambling for money. Everybody is now holding a golf tournament. Every charitable organization has a golf tournament going now, or they're selling tickets, or they're having some kind of fundraiser. The problem is that a lot of people of goodwill out there are getting what you call donor fatigue because they've been asked to donate to so many different areas.

I think of the next stage, if you will, in terms of housing. We have Bethlehem Place in St Catharines, which has allowed people over a period of time to get their lives back together. It's had a great success rate. At one time it could count upon, certainly not all of its funding, but a significant portion of it, to come from the

provincial government. That is absent today, and they're competing with so many other worthwhile organizations, trying to get the funds.

While this bill is one component, what is required is an investment—not \$200 mailed out to everybody as a public relations trick by the government, but invested in solid programs such as Women's Place and Bethlehem Place.

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Oui, le Parti libéral de l'Ontario va appuyer ce projet de loi. Je crois qu'il est un grand montant pour le gouvernement conservateur d'arriver avec les modifications, puisque depuis longtemps nous voyons que Madam Justice Lesley Baldwin avait fait des recommandations. Elle avait aussi demandé si on avait déjà fait des approches pour apporter les changements nécessaires.

C'est bien beau pour le gouvernement de dire qu'on va apporter une modification. Comme j'ai dit, nous allons l'appuyer, mais est-ce qu'on va avoir le personnel en place pour s'en assurer? Nous regardons que nous recevons actuellement environ 25 appels par année concernant la violence locale, mais 50 % à 75 % des appels ne sont pas placés parce que les gens savent que ça ne vaut pas la peine de placer un appel parce qu'on n'a pas de réponse.

Il est aussi grandement important pour le gouvernement d'apporter des changements parce qu'eux sont responsables du Code criminel. Lorsqu'on regarde le Code criminel, en moyenne, actuellement, une personne qui est incarcérée pour moins de deux ans est la responsabilité de la province. Mais d'après les dernières statistiques que j'ai reçues, les personnes qui sont incarcérées passent environ un sixième de leur temps derrière les barreaux. Cela veut dire qu'on a un manque d'espace, et puis à tous les jours nous entendons dire qu'il y a un manque de places dans nos prisons, dans nos centres de détention. Je crois qu'il est la responsabilité du gouvernement de voir à ce que les personnes soient retenues plus longtemps qu'un sixième de leur temps qu'elles doivent passer en prison. À chaque fois que ces personnes-là sortent, la majorité du temps elles sont encore impliquées dans une autre violence. Que ce soit chez les aînés, chez les jeunes, chez les dames, il y a toujours de la violence quand ces personnes-là sont laissées aller trop tôt des cellules de prison.

Le Président suppléant : Réponse ?

M^{me} Boyer: Premièrement, je remercie mon collègue de Timmins-Baie James pour s'apercevoir qu'on manque aussi peut-être de vision et de plan d'attaque envers le problème de la violence chez les femmes.

I'd like to thank the member for Northumberland for recognizing that this is not a partisan issue but that everybody is involved in it. When he talks about "cosmetic changes," I agree with that, but right now we're talking about punishing the abuser. Maybe we wouldn't have abusers if we had a plan, if we had the money, if we had the prevention to look into this.

Let's not forget what these women really want. They want money, they want preventive funding, not only

money for those abusers' houses but money to prevent, to do some education in our schools and in women's groups.

Je pense qu'il est très important de penser encore une fois bravo pour tenter de punir avec ce projet de loi ceux qui abusent, ceux qui font de la violence domestique, mais pensons aussi s'il vous plaît à trouver ce plan d'attaque, ces raisons, ces buts pour justement enrayer la violence domestique.

Mr Garry J. Guzzo (Ottawa West-Nepean): I welcome an opportunity today to spend a few moments with regard to this piece of progressive legislation. I commend the Attorney General for a step in the right direction in a very difficult area of the law, a minefield that is domestic law.

I know the minister would agree that this act will require some fine-tuning. Let me say at the outset that I sincerely hope this bill, once it passes second reading, will be referred to the justice committee because I would welcome an opportunity to have input into the amendments that I feel this bill will meet.

I should point out that it's very easy to criticize attempts to move the envelope forward in the area of domestic and matrimonial law. The only way to avoid criticism is to do nothing, and we've seen examples of that theory being put into practice in recent history in Ontario.

It's not my wish to be partisan today, but I do wish to reflect upon the advancements made under the governments in the past number of years, and I would suggest approximately 25 years.

1720

It is indeed a sad comment that I'm compelled to assess the advancements in matrimonial law, and indeed in many facets of the work of government, in a 25-year period, but it seems to me that it takes about a quarter of a century to accomplish anything worthwhile in this province. For example, in 1973, as a member of the regional council in Ottawa-Carleton, I attended my first meeting with regard to a four-lane highway from Prescott to Ottawa, a highway which opened in 1999.

In 1976, I attended my first meeting of bench and bar with regard to a Unified Family Court, a court which was extended to Ottawa-Carleton in 1998, 20 years after the pilot project was first introduced in Hamilton and gradually developed throughout the province. Today, it still encompasses less than 50% of the jurisdictions. That's a very significant point when we look at the enforcement of this piece of legislation we're looking at today.

I think back to 1974 when I attended upon Premier Davis as chairman of the planning committee in Ottawa-Carleton with a plan to reduce the number of municipalities within the region of Ottawa-Carleton. In the year 2000, legislation was passed which will take effect January 1, 2001, but not without a special referendum in the municipality of West Carleton.

In 1975, I again attended upon Premier Davis and the Minister of Labour of this province as a representative of

council with regard to an unfair labour practice in the construction field on both sides of the Quebec-Ontario border. Legislation was passed in 1999 addressing this issue. But as the member from Prescott-Russell stated yesterday in this House, there's been very little progress. And so we look at quarter centuries as short periods of time in dealing with the problems that the people we represent face.

In 1978, when I went to the bench, in most major cities in Ontario, definitely in Ottawa-Carleton and indeed in all areas in eastern Ontario, domestic assaults were handled in the Family Court. Regardless of the seriousness of same, they were handled in the Family Court. The rule was easily stated but very difficult to understand. Punch your neighbour in the nose, you go to Criminal Court. Punch your wife in the nose, that's for Family Court. Why was this? The answer was that in fact the family courts were in-camera courts. There was no press. There was no public and no publicity, and while the same level of sentence was available, there was no public embarrassment to assaulting somebody within your family.

This was exceedingly hard to justify and the judges in the Ottawa-Carleton Provincial Court (Family Division)—four, I might tell you, of the most brilliant jurists to be assembled under one roof in this province at any one time—Mr Justice P.D. Hamlyn, Mr Justice Jean-Paul Michel and Mr Justice Guy Goulard—took it upon themselves to change the procedures. We were way ahead of our time, to say the least, because the thinking in the 1970s was so much different. I remember well an incident here in Toronto which underlines that fact.

The situation to which I refer arose from the deaths of four babies at the children's hospital here in Toronto in 1980. A young nurse by the name of Susan Nelles had been charged with murder. She was not convicted and she was not acquitted. She was in fact discharged at a preliminary hearing. Now, a preliminary hearing is held in cases of indictable offences where an accused elects a trial by a Superior Court judge or a judge and jury. The preliminary hearing does not decide the guilt or innocence of the individual. It is only there to assess if there is sufficient evidence to send an accused to trial. I believe the proper question placed before a preliminary inquiry is, could a properly instructed jury, if it believes all the evidence put forward, properly convict?

The judge presiding over the 40-day preliminary hearing, 40 days of evidence, in 1982 found that there was insufficient evidence to send this young lady to trial. The judge was not finding that there was not proof beyond a reasonable doubt of her guilt, but simply that there was not even enough evidence with which a properly instructed jury could render a guilty verdict even if it believed all the evidence. As I recollect, this accused received an exemplary defence from a man by the name of Austin Cooper. As I recollect, Mr Cooper called no evidence in the 40 days of that preliminary hearing.

Some two years later, during a royal commission, headed by Mr Justice Samuel Grange, which was set up to investigate the charges in the prosecution of this young nurse, a memo written in 1981 was released in evidence. The memo had been written by the crown attorney for Metropolitan Toronto, one Jerome Wiley, to the Toronto police department. This is a senior crown attorney for this jurisdiction in which I stand today writing to the Toronto police on a very high-profile case. That memo accused the Toronto police of giving this murder investigation "only slightly more priority than a domestic murder." Accompanying that memo was a letter, also released at that time—1982—before the royal commission for the first time, from that crown attorney to the police alleging that manpower shortages and costs were preventing police from doing an adequate job.

Where could the resources have been going—to traffic violations, to real murders which were "non-domestic" murders?" Up until that hour, the release of the memo at the Grange hearing, no one in Ontario was aware that there was a difference between a domestic homicide and any other homicide, at least not in the eyes of the law and presumably not in the eyes of any police force. But here was a senior crown attorney making this distinction for the first time and driving home the fact that there were different standards.

Last night, as I mulled over some situations that I have experienced, I pulled out a copy of a story from the Toronto Sun dated Thursday, August 30, 1984. This story was written by one Heather Bird, then a staff writer for the Toronto Sun and now, I believe, a senior editor. It sheds considerable light on the thinking of the day. Writing at that time, Ms Bird said, "The Metropolitan Toronto Police gave the Susan Nelles murder investigation 'only slightly more priority than a domestic murder,' according to the memo of Jerome Wiley, the crown attorney." She goes on and describes the allegations and the problems, the hesitation on the part of the Toronto police which the crown felt gave rise to some of the problems they faced.

I think it is interesting to realize how far we have come in this province in the past 15 to 20 years. We now have specialty courts for domestic violence, we have specially trained prosecutors in these courts and we are constantly—and even properly in some cases—tinkering with the rules of evidence in these matters.

You've heard about the victim/witness assistance program which has been commenced and expanded, the victim crisis assistance and referral program, the supervised access program and the SupportLink program from other speakers. But as we enter the 21st century, many will raise their voices and say, "It's about time." We can put more funds into the community for protective measures. The biggest corrective measure required would be to educate the vulnerable people to recognize those who may be violent.

1730

This issue was driven home to me years ago as a young lawyer by a young battered woman for whom I

was acting. She was escaping her second abusive relationship and she discussed openly her future, as bleak as it appeared at that time. She explained to me how men who were abusers could sense women who, for some reason, were more willing to accept and tolerate abuse, even for short periods of time. She described the recognition in comparative terms to that of the sex offender who could single out the most vulnerable child in a group of youngsters. In all my years on the bench, and in my practice, dealing with abuse cases between spouses, between partners, and cases of abuse of children, I never forgot that conversation and how the accuracy of that comparison had been overlooked by so many in the field of domestic law.

As we enter the 21st century, we must be reminded that our Constitution, the British North America Act, is 133 years old. Our Constitution causes some serious problems re the advancement of matrimonial law—and other areas as well, I might add—in particular the making of emergency intervention orders and the enforcement of all intervention orders under this act.

It might be wise to just sit and read subsection 3(6) of this act on enforcement and compare it to subsection 4(3) on the content of emergency intervention orders, and then note the handling, in subsection 3(2), paragraph 8, of "exclusive possession of the residence shared by the applicant and the respondent" for an intervention order. If you compare those sections, you will see that the Constitution of this country—the 133-year-old, antiquated Constitution—

Mr Dwight Duncan (Windsor-St Clair): The Charter of Rights and Freedoms.

Mr Guzzo: The Charter of Rights doesn't help in any way, shape or form. I know you Liberals think 1982 solved all the problems. I have to tell you this: it created more than it solved.

In any event, under the British North America Act, property is the exclusive jurisdiction of the federal government, and it is to be dealt with by a section 96 judge appointed by the federal government. I enjoy explaining the significance of this situation in the following manner: I try to explain that in my 11 years as a provincial court judge under the Family Law Reform Act, I could deal with some very important issues: custody of young children; access to young children of the non-custodial parent; spousal support; child maintenance; and special medical, psychological, and psychiatric reports for children. All of these matters are serious concerns for all families, whether the children are very small or grown up. However, if the parents in question owned a dog or a parrot, I, as a non-section-96 judge, was not capable of deciding which parent got custody of the parrot. I could give the four children to one spouse or the other, or I could divide the family—two children to each spouse—but I wasn't capable, not properly equipped, to fully decide which spouse would get the parrot.

This situation gave rise to the logical conclusion that the legislators of this province and this country gave a higher priority to parrots than they did to children.

Indeed, it used to allow provincial court judges to refer to the section 96 brother as being for the birds. The fact of the matter is, you cannot draw any other conclusion but the fact that somebody must think that animals are a higher priority than children to allow that type of legislation to live, not just in this province but right across the country.

The expansion of the Unified Family Court in many parts of the province eliminated this problem, but I remind you that less than 50% of the jurisdictions in this province are serviced by a unified court. That's something we should keep in the back of our minds and to which we should address our attention in months to come.

I'd like to spend a minute or two on the issue of enforcement. It's a similar problem, not just for constitutional reasons but simply because certain police forces do not show the same commitment to enforce a provincial court order as they do to that of a federally appointed judge. I might further add that the problem is increased when it comes to warrants, be they warrants of committal or warrants of arrest, designed to bring a person before the court. The underlying education program of police forces who will be called upon to enforce Bill 117 once it is proclaimed will have to drive home the fact that the only difference—the only difference—between a restraining order or an intervention order under this act, issued by a provincial court judge or a designated judge and a restraining order made by a superior court judge or indeed a warrant issued by a provincial court judge or that issued by a superior court judge—in matrimonial matters the only difference is the size of the bank account of the parents and the size of the home in which the family resides. The children in each case have exactly the same problems, but more importantly and more definitely, the children in each case have the same constitutional rights, and we are not confirming those and we are not maintaining those because of the imbalance of the 133-year-old Constitution, the British North America Act.

In closing, I want to again commend the minister for bringing this legislation forward. As I say, I look forward to dealing with it. I hope it's in my committee or whatever committee, and I look forward to having an opportunity to deal with it at third reading. I commend to all members to simply keep advancing this envelope even if it's done in quarter-century periods.

The Acting Speaker: Comments or questions?

Mr Duncan: I listened attentively to my colleague the member for Ottawa West-Nepean, who I think brings a singular expertise to this question that many of us in the House do not have. I felt that his observations were worthy of the consideration of the Legislature, but more-over of the minister.

We differ, obviously, in one area where we had a little to-ing and fro-ing with respect to the charter; however, I feel that the comments he made did address the technical and legal questions based on his experience as a provincial court judge and a practising lawyer.

My colleagues in the Liberal caucus and our leader, Dalton McGuinty, will vote in favour of this bill. I agree with the thrust of what my colleague from Ottawa West-Nepean was saying with respect to the fact that this is not the end. This is not where we have to stop. He pointed out, in my view, something that a number of members have not reflected on, and that is further changes in court or judicial processes that, in his experience and views, need to be made.

We have on this side of the House focused our concerns with respect to the question of prevention versus subsequent punishment or dealing with a problem after it's happened. In my community, we are fortunate to have an organization called Hiatus House and its director, Donna Miller, who has been a leader in the whole field of domestic violence and dealing with it. I organized a fundraiser for that organization. Indeed, I will be giving my \$200 tax rebate to Hiatus House to reflect my concern about the fact that a number of programs have been cut by this government.

I welcome the member's comments. I appreciate his insight on this issue and I hope that the Attorney General will take his comments and observations to heart.

Mr Bisson: I'm happy to respond to the member from West Rideau. I have to admit that my impression of this member has changed greatly over the years that I've seen him here. I thought he was just a neo-con; he is a neo-con, he is a Conservative, he does believe in the rhetoric as we saw in his speech. But he does have a principled position. The one thing that I've come to appreciate from the member for West Rideau—he served on the bench, he has obviously good expertise on these issues and I listened to what he has to say quite carefully. But I've seen him display a certain independence, as all judges should and will and do, in this House at times. I've seen him on some of the issues of justice actually not so much follow the party line but do what he thought was right as an individual. I wanted an opportunity to put that on the record because I think sometimes we engage in this place in a lot of back and forth because we take our positions very seriously and sometimes don't the chance to talk about when other members do things right. So I want to say that upfront.

I also want to say that I know that the member well understands this issue, probably more than most, because he's had to deal with this himself in his former job as a lawyer and also as a judge. He understands that really when you get to court, the orders by the police are the last measure. It's unfortunate, but the reality is that less than 10% of women who are abused actually go to the police in order to lay any type of charges. Of those, he would well know that only about 25% of them end up in the courts.

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I know he understands, as I do, that this in itself is not a bad thing. This law certainly will assist the situation. We're not going to pretend for one second it's going to make things worse. But I know he also understands that this cannot be seen alone. We need to do many more

things, such as to restore many of the cuts that were made to women's centres in this province and the type of services in the community that we need to put in place to make sure women can go and get services well before they end up before the police or the courts.

Mr Bart Maves (Niagara Falls): Before I get into my comments, I would like to welcome a friend of mine, young Jessie Dykstra from St Catharines, who has made the trip up today and is in the gallery.

I have similar thoughts and comments to the members opposite about the comments of the member for Ottawa West-Nepean. I always enjoy listening to his speeches in the House. He uses a historical perspective quite often in his speeches, which is very much appreciated. He brings a historical perspective and lets us realize where we've come from, where we are now and where we're going to go.

It's kind of shocking, as I listened to his speech, the way the courts and the legal system over the years have viewed domestic violence, and, I guess by extension, society in general has viewed domestic violence, not viewing it on the same plane and taking it with the same seriousness that we've taken other forms of violence. I think his comments and his historical perspective today showed that. It was quite shocking for me to realize that, and probably for people at home to do the same.

I appreciate that the members opposite—the Liberals, I just heard now, are going to vote for this and the NDP think it's a step forward. The member, in his remarks, while he thinks that things take quite a bit of time—a quarter century in most cases—he too is pleased that this is a step in the right direction. I appreciate his comments and I thank him again for his perspective.

Mr Bradley: I was monitoring the speech of the member from Ottawa, and he does bring a lot of experience to the House in terms of his position on the bench and his knowledge of the legal system. This has consistently been a rather significant problem. I want to try a couple of things on him to see what his reaction might be to those.

There are some commercials now on television, put out by the Ontario Lottery Corp, I believe, which show people escaping from positive domestic situations, going out the window to get engaged in some activity—perhaps it's casino gambling or something of that nature. The point is that these commercials are there to encourage people to undertake action which may eventually end up in domestic violence. With your experience on the bench, sir, you would perhaps know many of the things that trigger domestic violence. I'm concerned about those kinds of commercials which lure people into those circumstances, and they're running on television at this time. I think you're supposed to run down to Woodbine and there is some kind of casino or slots down there.

The second is, as I mentioned earlier, you would be familiar with both first- and second-stage housing and the struggle of places such as Women's Place in St Catharines and Bethlehem Place in St Catharines. They deal at different stages, but still provide services—of course in

Women's Place it is to women and their children, and in Bethlehem Place it's extended a little further. How do you feel we would benefit by injecting more funds into those, investing funds into those first- and second-stage housing initiatives and how they might positively affect domestic violence in this province?

The Acting Speaker: Response?

Mr Guzzo: I wish to express my appreciation to the members from Windsor-St Clair, Timmins-James Bay, Niagara Falls and St Catharines for their comments.

I would like to take this opportunity to address the issue that was raised both by the last speaker, the member for St Catharines, and the first speaker, the member from Windsor-St Clair. One of the advantages of being on the bench at the time I was there was that I had an opportunity to move around the province. I actually held court in many of the jurisdictions in many of your ridings, certainly many times in Windsor—it was a favourite of mine when you got that new courthouse around about that time—and also in the St Catharines-Niagara Falls-Welland area.

One of the things we tend to forget is that there is no equality in this province or any other province, or any other jurisdiction. I hear the member from Windsor-St Clair. I'm aware, sir, of the support facility that exists in your community. You're a very fortunate individual, as am I, representing a major city. I look across and I see the member from Pembroke; he's not quite as fortunate. When you sat in Pembroke, the facilities were not there. The Family Court clinic serving all of eastern Ontario was in Ottawa. Go up north and look what the people in some of those jurisdictions are facing. Where have we been reluctant and where have we been hesitant to advance the unified court, which is of such tremendous value to people in difficulty and people coming before the courts, people experiencing the kind of abuse we're talking about here? Of course it's to the less populated areas. That's something we should keep in mind. I thank you for your comments.

The Acting Speaker: Further debate?

Mrs Sandra Pupatello (Windsor West): Speaker. I'll be splitting my time with the member from Windsor-St Clair.

I am very pleased to speak to this bill which, as members of my caucus have already indicated, Dalton McGuinty and the Ontario Liberal Party will be supporting. Our dissatisfaction with the bill is that we do feel that the government has not come to the table enough to address the issue of domestic violence. We wanted to share a letter with the Attorney General, Minister Flaherty, and we will be passing this along. This particular letter is signed by all six women caucus members in the Ontario Liberal Party: Bountrogianni, Di Cocco, McLeod, Boyer, Dombrowsky and myself. We're sharing our thoughts with the Attorney General. All of the parties were encouraged to participate on September 20 when a number of women's groups came to Queen's Park. They were asked to sign on the dotted line to mark the fact that they were going to be supportive of taking action against

domestic violence. The two opposition parties signed that pledge and the government did not, which begs the question of why.

We each received a letter from a woman named Shelly McKay. She set out the challenge she faced herself being a victim of domestic abuse. She said, "Currently, Canadian citizens believe that when victims of domestic violence seek help from the law they get it. In fact, the law contributes to the abuse."

She went on to say, "I knew when I saw the look of terror in my four-year-old daughter's eyes as she watched her father assault me that I had to break the silence about our suffering. It is time to identify the cause of this suffering and through collective community action recognize the seriousness of domestic violence."

What I think was most poignant was how she ended her letter. She said, "It doesn't matter to me where you live or how much money you have, I want to know if you can get up after a night of grief and despair, weary and bruised to the bone, and do what needs to be done for your family."

Shelly managed to put her thoughts so succinctly in that letter that we needed to share with the public, and certainly with the Attorney General today, to talk about the fact that it isn't just about a bill and it isn't just about the court system. With the Minister of Community and Social Services spending some time in the House this afternoon, he needs to recognize what role his ministry has to play in support for women and their children who are dealing with this very difficult situation.

Our Hiatus House was mentioned even by members opposite. We're very fortunate to have this kind of facility in the Windsor area. Unfortunately, the vacancy rates and the allowable space that they have in the shelter are limited. They are often full to capacity—not just 17 women, but 35 children, which goes to show that most of the time that these women are running and looking for shelter they're bringing their children with them. This past summer, in July, they were at 96% occupancy rate, and that doesn't allow them enough flexibility when they get more women who are arriving at their doorsteps. What are these women to do?

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I spoke with a number of people who are dealing with all kinds of issues in trying to escape abusive situations at home. I want to talk about Zahara, Mia and Maria. These are three examples of women currently in Windsor who are in domestic violence and abuse cases. All three of these women have landed immigrant status. Their average age is 35 years old. They each have three children. Their children range in age from two to 11 years old. These women came to Windsor with no supports. They came with their husbands. They don't know the city and there is a language barrier. You can imagine how difficult it would be for these women to escape a violent situation at home. Because of the changes in social services, they're not able to access the assistance they need to get themselves out. I ask the government, what do you do about these cases?

We know what changes have been made to the maximum shelter allowances. So any one of these—Zahara, Mia or Maria—is each looking at \$602 as her monthly shelter allowance. I encourage any member of this House to come to my community right now and look for an apartment for \$602 a month, their shelter allowance.

We know that much of the issue is about financial security when these women choose to finally leave their homes. Many of these women are trying to access financial support through the new FRO system. We've talked often about the debacle of that system and how we can't access support payments from these spouses who don't have custody of the children. We want to talk about how many times these women, who are already dealing with the greatest stress in their lives, are trying to call the 1-800 number to understand why they can't access money that's truly theirs. Every time they call they don't get the same case manager, and each time they have to tell some stranger on the phone just how dire a strait they're in, just how abusive it is at home. Every time they call they have to go through the embarrassment and the torture of the entire story of having been an abused woman and why it is they need help to get quickly through the Family Responsibility Office so that they can access support that is truly theirs. This is what is happening. This is an FRO issue, as you call it. This is an issue under the Attorney General. Nothing is being done to satisfy these claims. Our office tries to access help for these women and we're stymied almost as much as the women themselves.

Can you imagine the stress of three children running around at your feet, having been abused at home, finally having the courage to leave, not knowing what the future is going to hold, and then being told that you will be put on hold for 20 minutes? When you get that person to finally come to the phone they don't have your case file, they don't have any of your information and you have to start right back again at square one to try to give as much information as you can and go through all of the emotion that that means.

It is something that the government should address and could have addressed two years ago when we first brought up these issues of the centralization of the Family Responsibility Office. The centralization of those offices meant that the Windsor staff who used to run it were fired. These were the people, the local staffers, who knew the individuals on a personal basis. They knew what their situation was at home. They saved them the time and the embarrassment of having to deal with this terrible home life situation. But now they have to explain it time and time again. That's only one issue, the debacle of the Family Responsibility Office, but many women in our shelter have had to contend with a 1-800 number and no one to answer the phone.

What's happening is that we have a significant housing crisis and no one is building affordable housing in Ontario. We've recognized that problem, and our critic David Caplan has often brought that to the floor of this

House. When you live in Windsor you can't find affordable housing. Where are the women to go when they're trying to strike out on their own? There is nowhere to go.

I want to talk to you about Susan, Martha and Tina. Their average age is 26 years old. These residents have been in our shelter for 35 days. They're looking for a place to move to but there is nowhere to move. We don't have affordable housing in Windsor that's available to these women. There's no priority list for these women, and the allowance they have through social services, until at least they can get on their feet, is simply not sufficient. If they are on their own, their shelter allowance is \$325. Where will we find supportive housing for these women with \$325 a month?

The point I have to make today is that while the bill is something we're going to be in favour of and vote for, the issue of domestic violence and how we can get women established and independent and out of those terrible situations in their homes, and in particular ensure the safety of their children—with the system that the Ontario government has ruined, the system that doesn't allow the safety net for these families, the inadequacies that we keep telling you about time after time, you cannot as a government come into the House today with this bill and say, "There, we've done our thing for domestic violence." You haven't even scratched the surface, because the very real issues that women have to contend with have everything to do with various ministry offices, but none of them are being addressed by the government.

I think it's time that the Ministry of Community and Social Services, the Ministry of Health and the Attorney General's office strike a task force. You should sit down

and say, "If domestic violence is going to be a priority, we're going to discover what the very real issues are."

We heard today from a member across the floor who said she was involved in launching a shelter in her own community of Scarborough. Surely this MPP understands the day-to-day drama that a woman would go through in leaving that abusive home. Surely that member across the way from Scarborough would understand what it means to need the financial security before you can leave, especially when you have children, to know that there's a secure place you can go to, that you'll be able to have a place of your own, that you'll be able to have the support you need just to get you back on your feet.

That currently does not exist in Ontario. It is making women face very tough decisions and what they often do is go back to the abusive relationship. It doesn't even enter into the court system so that the bill we are discussing today can make a difference in their lives. Until the government understands that it's a far greater issue than just one bill is going to satisfy, we are never going to resolve issues that are faced daily by women in Ontario.

VISITORS

The Acting Speaker (Mr Tony Martin): Before we adjourn, I bring the attention of the House to the Speaker's gallery, where we have Dr Manohar Singh Gill, chief election commissioner of India, and his wife, Mrs Gill. Welcome.

This House stands adjourned until tomorrow morning, Thursday, October 5, at 10 of the clock.

The House adjourned at 1758.

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

First Session, 37th Parliament

**Assemblée législative
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Première session, 37^e législature

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(Hansard)**

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Thursday 5 October 2000

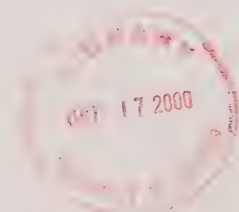
Jeudi 5 octobre 2000

**Speaker
Honourable Gary Carr**

**Président
L'honorable Gary Carr**

**Clerk
Claude L. DesRosiers**

**Greffier
Claude L. DesRosiers**



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 octobre 2000

The House met at 1000.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

CARE HOMES ACT, 2000

LOI DE 2000

SUR LES MAISONS DE SOINS

Mrs McLeod moved second reading of the following bill:

Bill 53, An Act to provide for the accreditation of care homes, to protect the rights of tenants and to amend the Tenant Protection Act, 1997 / Projet de loi 53, Loi prévoyant l'agrément de maisons de soins, protégeant les droits des locataires et modifiant la Loi de 1997 sur la protection des locataires.

The Acting Speaker (Mr Michael A. Brown): The member has 10 minutes to make a presentation.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I'm bringing this bill forward because we in our caucus believe that the provincial government has a responsibility to provide some guarantees of quality of care for the vulnerable seniors who are living in privately run care homes.

My work on the bill began a year ago in response to the stories of seniors who were being mistreated in a Toronto area care home, the Birch Cliff Retirement Home. It was a home that had been operating as a nursing home under government regulation. It became the only home in the last decade to have its nursing home licence suspended, but it opened again six months later as a private retirement home, and there was nothing anyone could do about that.

In reaction to this story, the city of Toronto set up a hotline to hear complaints about retirement homes. The hotline was overwhelmed with calls, calls about filthy conditions and physical neglect of residents. Other horror stories tell of more violent abuse that sometimes takes place.

Some will argue that these situations are all in violation of existing laws and regulations: health and safety regulations, the fire code and, in the worst cases, there are Criminal Code violations. In fact, as awareness of the conditions in some of these homes increases, more

of the violations of existing laws and regulations are being prosecuted.

The problem is, there are no consistent provincial guidelines for the operation of these homes. There's no outline of the rights of care home residents and no body clearly responsible for investigating concerns. Because of this, many deplorable situations are never reported. People don't know what their rights are under existing regulations, and they don't know where to report any complaints. Some abuses, in fact, like physically restraining a senior, do not clearly fall under any existing regulation and many vulnerable seniors are unable or afraid to advocate for themselves. That's why it's important for the province to provide some clear, consistent guidelines for the operation of these homes and to establish an independent body to investigate complaints and ensure that regulations are enforced.

Let me acknowledge that this is not an issue that suddenly emerged last fall. In 1993, the NDP government appointed Professor Ernie Lightman of the University of Toronto to conduct an inquiry into the state of retirement homes in the province. Professor Lightman found that things were even worse than he'd feared. He told the story of attending an inquest into the death of elderly individual living in a care home in a small town in Ontario. There were 30 to 40 frail seniors living in the home with only one teenaged staff person on duty overnight. The individual who died had wandered out of her home in her nightgown and frozen to death.

The problem is, the stories surface in the media from time to time, studies or consultations are carried out and nothing happens. The current government did respond to the concerns last fall by carrying out a consultation, led by the member from Guelph-Wellington. We haven't seen the outcome of the consultation yet, and we don't know whether there's going to be any legislation. I did send the minister a copy of my bill last spring in the hope that it could be useful in drafting a government bill. At this point, however, the minister seems to have been convinced that the private homes don't want to be regulated, which should not come as any surprise. Her recent public statement suggests the government wants to leave this responsibility to the municipalities, which fits with the pattern of this government.

Some municipalities, Windsor, Hamilton and St Catharines, have brought in bylaws to regulate care homes. Toronto and Ottawa-Carleton are now looking at developing their own bylaws. The larger municipalities

have the expertise, if not the resources, to do this. Nothing in my bill precludes a municipality from putting in place bylaws to deal with areas that fall within their jurisdiction. But that does not take away from the importance of having a consistent provincial framework for the operation of these homes. In fact, only three provinces, Quebec, Alberta and Ontario, do not have provincial regulations for retirement homes.

Both Toronto and Ottawa-Carleton, although they are working on their own bylaws, have called on the province to bring in provincial regulations and to provide the resources to enforce them. Alex Munter, chairman of community services for the Ottawa-Carleton regional government, says, "We believe the standards should be province-wide and set by the Ontario government," and from the city of Toronto recommendation, "that the provincial government be advised that the board of health and council considers the seniors in retirement homes to be at risk and strongly recommends that the Ontario government establish province-wide mandatory standards of care and provide funding for the implementation and enforcement of such standards." It's in respect for the municipality's own belief that this kind of consistency from the province is needed that I bring forward this bill today.

It's important at the outset to clarify a couple of issues about what has proven to be quite a complex bill. The bill deals with retirement homes that offer some component of care. The residents in these homes, I want to make it absolutely clear, are tenants and they enjoy all rights under the tenants' act. But they are not just tenants, because they require a degree of care, the provision of meals and some level of personal care. I've tried in this bill to respect the rights of these individuals as tenants but to provide a bill of rights that goes beyond what is currently in tenant protection legislation, which simply isn't adequate to meet the special needs of those who are seeking care in the care homes.

The bill does not put the provincial government into the business of licensing care homes. One of the realities is that there are too many people in unregulated care homes who really should be in nursing homes. They require care beyond what can or should be provided in a private setting. We do not want privately paid-for care homes to become a substitute for nursing home beds, and it is because of that concern that we've tried to be careful in the drafting of a bill which respects the rights of tenants who need care but does not put the province in a position of licensing what would be privately paid-for nursing home substitutes.

We want people to be aware of what's available to them outside the nursing home setting and what these homes can and cannot offer, and we want people to be able to seek redress for complaints from a body that has inspection and enforcement powers beyond what is available to a municipality.

Under this bill, a care homes review board would be set up to keep a registry of care homes and to investigate any complaints of violations of the rights set out in the

legislation. The board would be given enforcement powers, including fines and the withdrawal of accreditation. We have left the accrediting of care homes, recognizing the wide range of homes that exist, in the hands of the private organizations but with recognition of their accrediting ability in the hands of the care homes review board.

That last statement suggests to you just how very complex the legislation is. I've found these are very difficult issues to deal with. The central question, as I worked through the issues around the bill, revolved around what degree of regulation is warranted and what degree of regulation is necessary if we're going to protect people who are living in a private setting, recognizing that these are vulnerable individuals, but they are individuals who, nevertheless, are making private choices about their living situations. It's very difficult to find the balance between recognizing their vulnerability, recognizing the desperation often of families who need to have a setting where they feel their loved ones can be safe and can be cared for and yet those settings are unregulated. There are no guidelines, there's no investigative body which can give them the assurance that the care home setting which they've chosen for their loved one is indeed safe, secure, and one in which their loved one will be treated properly.

1010

I also struggled with the issue of how legislation could be written that reflects what is a very wide range of care home accommodation, and Professor Lightman recognized this issue in his report. There are some care homes in which people are spending \$4,000 to \$6,000 a month for their accommodation, their meals and different levels of personal care. Not everybody can afford that kind of high-end retirement home private care. But it seems to me that people who can only afford, say, \$600 a month which would be the real low end of care home costs should still have a right to decent care and treatment.

I've now taken this bill through 13 drafts and I still don't claim that I've answered all of those challenges in the best way. I have come to have great respect for the complexity of this issue. I am gratified that Professor Lightman, who has from time to time provided me with advice—that's one of the reasons there have been 13 drafts—considers this proposal to be what he terms "a huge step forward." I do believe that the bill can serve as a framework for a detailed consideration of what needs to be put in place.

With that in mind, it's my hope that all the members of the House will support this bill on second reading and beyond that, will see fit to send it to committee so that this issue can receive the kind of consideration it deserves.

I've been in the Legislature now for some 13 years through three governments. I've been increasingly concerned about this issue, which nobody yet has been able to address. I now appreciate the complexities, but I do think we can let this be put on the back burner until more horror stories emerge.

Mrs Brenda Elliott (Guelph-Wellington): I am very pleased to be able to participate in the debate on this bill today.

All members of this House are committed to ensuring that our seniors can live in safety, without fear and with the best possible services available to them. I credit good motives to the member opposite for her Care Homes Act, 2000, but flawed execution. This is a bill that can be criticized on many levels: part of it is redundant; matters already discussed in the Tenant Protection Act are duplicated in the bill; and the bill also lacks clarity. For example, the definition of a "care home" does not specify the number of residents. An owner-occupied house with a rented basement apartment could potentially qualify.

Specifics aside, this bill has a much more fundamental defect. It is all about prescribing, accrediting, inspecting, registering and regulating. It is not about people. A care home review board with the usual bureaucracy and enormous powers will be created. A majority on the board will be composed of "advocates for the rights of care home tenants," or "relatives and friends" of those in care homes or people in care homes themselves.

This is not a bill that speaks to the greater public good. Turning a regulatory body over to advocates for regulation may be good politics for the Liberal Party but it is bad public policy. There was a time when the Liberal Party understood this. During its five years in government, the Liberals set up an advisory committee to look at retirement home regulation, and it rejected provincial regulation. It suggested retirement homes be a municipal responsibility, as in fact they are.

The NDP, during its time over here, also produced a report that opposed provincial regulation and inspection. Instead, the NDP advocated a consumer protection approach that included a call on the government to assist the retirement home industry in self-regulation—wise words then, wise words now, and a view this government supports.

The Ontario Residential Care Association, or ORCA, as it is commonly known, has several years' experience in accrediting member retirement homes. With the support of this government, ORCA has now created a consumer complaints and information service, a hotline or complaints: one phone number province-wide for complaints, regardless of whether or not the retirement home belongs to the association; and not just for complaints, but also for information, so that seniors will be better informed about their options.

It is noticeable that the bill before us today contains virtually no public education component. ORCA is committed to raising public awareness. They have budgeted and they have planned for it. The hotline is just one of the initiatives this government has implemented or supported in creating a comprehensive strategy to meet the needs of seniors. We come second to no government in this country in ensuring the safety and comfort of our seniors, regardless of the lifestyle options they may choose or require.

Some need long-term care in what used to be called nursing homes or homes for the aged, so this government

has committed to building 20,000 new long-term-care beds and refurbishing another 13,000 by 2004. That is 33,000 more beds than the total produced by the Liberals and NDP during the 10 lost years.

Other seniors will stay at home with family, and will have a multitude of varied programs to aid them to do so. Our home care spending tops \$1 billion, a 43% increase over budgets in the Liberal-NDP era. Many of our programs are firsts in Canada: innovative, flexible and with much local and professional input. An example of such a program is the \$68.4-million program we are investing over five years to help people who struggle with Alzheimer's disease and related dementias. This is also a program that will help caregivers.

Whether people live in a long-term-care facility, a retirement home, the family home or apartment, they deserve and should receive support from this government. To put what I am saying another way, seniors do not conform to a cookie-cutter, one-size-fits-all approach that is so evident in this simplistic bill.

Retirement homes come in a wide variety of types and sizes, offering different menus of goods and services to those who choose to live in them. Some people want meals, others don't; some want medical supervision, others don't. Retirement homes are just that: they are homes. They are places where people choose to live, where decisions on meals, medical care and other factors are made by the resident and not by the home; a home with extras and not an institution. Seniors appreciate these options, the flexibility and the freedom that comes with the wide choice. Forcing retirement homes into a single-care mould is no solution to anything.

Members are already aware that the broader public concerns are covered by police, fire, public health and building code legislation, as well as the Tenant Protection Act. Municipalities, of course, can go further. They have always had the right to bring in bylaws to cover retirement homes, a right this government encourages them to exercise when required. Five municipalities already have had bylaws in place for some time. Local options, flexibility and choice all disappear if retirement homes are provincially regulated. Red tape, bureaucracy and rigidity would only increase.

Here in Ontario, we lead all of Canada in per capita spending on long-term care and community services, and this government is committed to facilities that have a home-like atmosphere, that respect the elderly and respect their privacy. We seek to ensure that seniors who live in retirement homes can do so with confidence and with a sense of safety.

This is, as my colleague across the way acknowledged, a very complex issue. But for the many reasons I have listed, I will not be supporting this proposed piece of legislation today.

The quality of life for seniors all across this province is improving. I am proud of that; our government is proud of that. I am sure my colleagues in this House are also very proud of the achievements Ontario has made in making life better for our seniors, and that includes our

mothers and our fathers, our grandmothers and our grandfathers, our elderly neighbours and our elderly friends.

Mr David Caplan (Don Valley East): I am indeed very pleased to be here to speak to this bill. It is a much-needed piece of legislation, and I would like to congratulate Lyn McLeod, the health critic for the Ontario Liberal Party, who was prepared to act when the Harris government has decided it would rather bury its head in the sand and try to point fingers at the municipalities.

There are two things I would like to discuss in my very brief remarks. First, we have a real need for amendments to the so-called Tenant Protection Act. Second, I would like to speak briefly about the situation in my community here in Toronto and what they have learned from their study and investigations.

1020

Let me first talk about the need to amend the so-called Tenant Protection Act, because I've heard some real concerns about the eviction procedures related to care homes in the current act. Tenants in care homes are among the most vulnerable renters in our entire society. Legal clinics and other advocates have been clear that this section of the act is very open to abuse and have raised with me cases of inappropriate and discriminatory treatment of tenants.

Part of the problem is that currently there's no real benchmark for assessing whether or not a landlord is able to provide appropriate care. Without any requirement for a professional assessment, this decision is left up to tribunal adjudicators, and there is no requirement of the Ontario Rental Housing Tribunal that these adjudicators be experienced or knowledgeable in areas of providing care. It's ironic, given the fact that when the Tenant Protection Act was at public hearings, government members of the committee, particularly then parliamentary assistant Steve Gilchrist, gave assurance after assurance that there would be a formal role for community care access centres, but when the bill was tabled this formal role was nowhere to be found.

Thankfully, Bill 53 addresses this concern very well. It provides that, by law, a formal assessment must be completed by the local CCAC. Professionals will determine the level of care needed, not adjudicators relying on the advice of home care operators. It will also provide some real guarantees about accommodation decisions that are made by professionals, and I hope the government will consider adding the role for advocates of legal representatives as part of the process when they adopt the appropriate regulations.

But this bill needs to be coupled with procedural reforms that I've been calling for, for at least 18 months. It might be interesting for members of this House to know that in the case of tenants of care homes, they're not even guaranteed the same rights as regular tenants. Unlike other tenants, care home tenants do not have to receive a notice of termination, a document which is normally the starting point of discussion and mediation. Instead, the care home operator can move immediately to

serve a notice of hearing on a tenant, a notice which only gives a resident five days to respond in writing to fight an order of eviction.

What is a sick or vulnerable tenant to do when faced with these deadlines? What if they're in the hospital or there is an issue around competency? It seems unfair that they would be more vulnerable to default orders than any other tenant in Ontario. I have to insist that when the government is putting in place regulations governing this process after this bill is passed, they give special consideration to this problem.

Finally, let me deal briefly with the conditions here in Toronto, in my own riding of Don Valley East and other ridings around the city. My office has received dozens of calls about the conditions in care homes. This House would be well aware of recent reports of the board of health of the city of Toronto, which was clear. The report said that 76% of retirement homes in Toronto have problems. This is retirement homes alone, not including other forms of care homes in our city, including boarding homes and other facilities.

The city was clear in their recommendations. They said it is the role of the province to set standards, not the pass-the-buck approach the Harris government uses, trying to foist their problems off on municipalities. It is the provincial role to set standards. It is the role of the province to regulate the sector, like it does for other areas of care such as nursing homes. But again, the province has done nothing except pass the buck, pass the blame to municipalities for not doing enough and spending money on an association—the Ontario Residential Care Association—which itself has indicated it has a toothless act to work under.

The crisis in Toronto and in homes throughout Ontario should be a wake-up call for this minister and this government to act. Unfortunately, as we have seen on other issues like disability issues, and now on care homes, the Harris government is prepared to do nothing except pass the buck and pass the blame.

I congratulate my colleague from Thunder Bay-Atikokan. She has taken this excellent initiative, and I am pleased to support it here today. I encourage all members of this House to do so.

Mr Garfield Dunlop (Simcoe North): It's a little confusing here this morning. It's a pleasure to rise in private members' time to make a few comments on second reading of Bill 53, and I thank the member for Thunder Bay-Atikokan for her interest in this issue. But unfortunately I cannot support it, because I see a lot of red tape and bureaucracy here.

This government is committed to doing what is necessary to ensure that Ontario's seniors live their lives in dignity and respect. I think there's no more proof of that than our commitment to 33,000 new beds by the year 2004. Bill 53 will not help them do that. Bill 53 is about the power to set standards in retirement homes. It duplicates what already exists.

Last week, the Toronto board of health issued a press release that was headlined "City Seniors Suffer from

Lack of Standards in Retirement Homes." Residents in many retirement homes throughout the city are not being properly cared for and have no government protection to stop neglect, the board's chairman John Filion charged. I know that councillors like Mr Filion are involved in municipal election campaigns, and I believe that is what this is all about, something to draw some attention to him. But this has to be one of the strangest press releases ever issued about retirement homes.

The Toronto board of health has enormous powers to ensure public health and safety in retirement homes under the Health Protection and Promotion Act. If there are any health care violations, the board has not just the power to act, but the duty to act. Toronto council, in fact, on which Mr Filion sits, has a duty to act in regard to retirement homes in many other ways. Should there be violations of the building code or fire regulations, the municipality has a responsibility to act. It is the municipality's failure if it has not done so.

I can think of an example right in my own riding. Right after I was elected last year, I was called out to a retirement home. The owner was quite upset with the fire department because they had made him add some fairly expensive fire and safety security equipment to his house. I commended the fire department at that time, because there were 11 people there. This is a beautiful facility, but the fact of the matter is that he had to abide by the laws of the municipality.

But let us assume the problems discovered were of a nature that the municipality was not required to act upon: the problems violated neither health nor fire nor building codes. Perhaps it was a simple landlord-tenant dispute that the board of health stumbled over. In that case the Tenant Protection Act comes into force. Because this is a provincial responsibility, the tenant may take the complaint to the Ontario Rental Housing Tribunal.

But what if the problems the board of health found fit into none of these categories? Perhaps the difficulties were more housekeeping in nature: complaints about dirty but non-health-threatening hallways, for instance, or rude behaviour by staff. Then Toronto council has a choice: it can pass bylaws setting standards for retirement homes within its own jurisdiction, tailoring the rules to fit local circumstances. It has that power and has had that power for many years.

The old city of Toronto had a bylaw with regard to retirement homes. The old city of Etobicoke had a bylaw with regard to retirement homes. Hamilton-Wentworth has a retirement home bylaw and so does the city of St. Catharines. This government encourages municipalities to exercise their responsibilities and write a bylaw appropriate to their local areas. Toronto has chosen not to do so. This is the position of the amalgamated Toronto council on which John Filion sits. If he has a complaint about lack of standards for retirement homes, he should take it up with his fellow Toronto councillors.

After all, the city commissioner's December 1999 report to Toronto's community services committee supports our government's call for the city of Toronto to

harmonize existing bylaws governing retirement homes in Toronto. The commissioner noted that the committee's consultation on this issue generated consensus in a number of areas, including that the amalgamated city of Toronto "harmonize the retirement and lodging homes bylaws to the standard of the former city of Etobicoke."

Toronto council has the legal authority to act. Let it act. Let it set whatever standards it deems necessary. I don't think we should have this red tape and bureaucracy across the rest of the province. I support the stance taken by previous governments, including the Liberal government, that municipalities are in the best position to enact bylaws that enforce community standards for retirement homes and the care they provide to the residents of the province of Ontario.

1030

The Acting Speaker: Further debate?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very pleased today to speak on behalf of Bill 53 that's been introduced by my colleague from Thunder Bay-Atikokan. I have in the past had the opportunity to investigate and understand issues of importance for seniors, not only within my own riding but within the province of Ontario. Certainly it came to my attention on many occasions that there was great concern within the province among family members of seniors and senior representative groups about the lack of standards and the lack of consistency of service that was offered for people who would be resident in care homes. So my colleague and I have had a number of conversations and discussions about how this very serious issue might be addressed most effectively.

The member for Simcoe North has said, "We already have the things in place. Let municipalities deal with this." The reality is that isn't happening. The reality is that there are many people in care homes in the province who are not accessing the kinds of service and the level of service they need and deserve. So my colleague from Thunder Bay-Atikokan has consulted people who are very respected within the community and consider and provide services and represent the interests of senior groups in the province, people like Ernie Lightman and Judith Wahl.

My colleague has consulted with those individuals. She has asked them, "What do you see as a reasonable solution to the issues that we've heard about in the media?" After consultation with those individuals, my colleague has brought this bill before us, this bill that will contribute to a consistent level of service for people in Ontario in care homes. This bill will establish an independent body that will investigate complaints. It will also establish penalties if there are care homes that are not providing the service that they should.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): How much will it cost?

Mrs Dombrowsky: The member across the way, from Dufferin-Peel-Wellington-Grey, shouts back at us, "What will it cost?" There are seniors who are being abused in homes, and these people across here are saying, "What

will it cost?" What's the human cost when people are abused? What's the human cost when people have been assaulted? We should save money and allow people to continue to be abused?

I suggest that we are taking a responsible approach in saying that we need this government, in these strong economic times when there are surplus funds available, to consider directing those surplus funds to support, assist and protect the seniors of the province. My colleague the member for Thunder Bay-Atikokan is giving you an opportunity to do that. I sincerely hope that the members on the other side of the House, the members of the government, recognize the opportunity they have here to offer some comfort, protection and a consistent level of service for people who would access care home services in Ontario.

Mr R. Gary Stewart (Peterborough): The issues tackled in Bill 53 are issues that governments of all stripes have grappled with for 15 years, yet neither the Liberals nor the NDP took the route suggested by the member for Thunder Bay-Atikokan. Let me give you a bit of a history lesson, if I may.

In March 1990, former NDP critic Dave Cooke raised the issue when in opposition. Across the aisle from him was the Liberal minister responsible for seniors, Gilles Morin. Back then, the issue had to do with a retirement home where matters had suddenly gone badly and residents were left without heat or food for a period before the appropriate authorities were notified. This was under the Liberals. Five years they had been in power at that point, five years during which their party endlessly studied the issue of residential homes and rest homes.

Proposals for a legislative response were promised, yet, as the NDP critic noted, nothing had been done. The Liberal minister responded that even if there had been provincial regulations, this incident would not have been prevented. He also reminded the House—correctly, I might add—that “municipalities can license and regulate rest and retirement homes, and a number of them do.” The minister also noted that he had an advisory committee studying the issue and that it had reported back with all kinds of recommendations. He said no consensus existed.

So what did the Liberal minister of the day do with this report? The answer, as you might expect, as happens these days as well: nothing was done.

Interjection: Nothing.

Mr Stewart: That's right. The same Liberal government—where the member whose bill we are discussing today sat in cabinet—took the option of doing nothing when it had the chance 10 years ago.

History continues but times change, and soon the NDP was in power and Dave Cooke was in cabinet. What do you think this spanking new government did when they had the chance to move forward?

Interjection: Nothing.

Mr Stewart: Nothing. That's right. The protests of Dave Cooke in 1990 produced nothing more now than when he was in government. In fact, he was also in cabinet.

Actually, that isn't quite fair. The NDP did labour over the issue of retirement homes and brought forth yet another commission to look into the issue. It was the Liberal response all over again. And what did the NDP commission produce? Well, it came forward with much of the same response as Morin's advisory committee did two years earlier. It spoke of division and no consensus and, perhaps most interestingly, a report in 1992 that did not support provincial regulation and inspection. Instead, it advocated a consumer protection approach which included a call on the government of the day to assist the retirement home industry in self-regulation.

That brings us to today. This government—

The Acting Speaker: Thank you. Further debate?

Mr Gerard Kennedy (Parkdale-High Park): We see in the House today the unfortunate problem of a government caucus that cannot think for itself; that does not believe its main job today, in this time and in this space, is to look after vulnerable seniors. For some reason, the members opposite have dedicated almost none of their time to talking about the people they were sent here to represent: vulnerable seniors. Instead, we have the sad, lamentable response of this government to put things only in partisan terms when they have in front of them a bill that not only is fair, reasonable, clear and in the interests of seniors, but cleans up after this government. So these partisans opposite, these people reading their speaking notes fed to them by the Premier's office, not able to think for themselves or their own communities don't look at, don't have regard for, what is actually required for seniors.

Instead of looking at the facts, it is their government that has cut the number of hospital beds. It is their government that has gotten rid of rent control, that has put seniors in vulnerable positions in every community in this province. Instead we have the sheep opposite.

It is sad indeed if the members opposite cannot look beyond the end of their leashes from the cabinet and instead look at the merits of this bill, because the merits are many.

There are seniors who can't get into long-term care. We know how many there are—20,000 seniors. There are 20,000 seniors, probably the largest proportion of whom are parked in retirement homes. We want to be careful, as we speak about retirement homes, to recognize that there are good retirement homes; responsible businessmen who are looking after seniors in accommodation. However, those tend to be those for senior who can afford to pay for those standards, families who can provide that support. Maybe that's why they fall off the radar of the members opposite. Maybe that's why they can't bring themselves to look to the real needs and requirements of seniors.

I would just invite the members opposite to be in the shoes, to be in the wheelchairs of those seniors, to understand what it may be like to have your entire pension cheque, as small as that may be, gobble up by someone on whom you are completely dependent and vulnerable and from whom your government offers no protection.

I am almost embarrassed to have to iterate the very simple rights which this bill would accord to those seniors; embarrassed only because it is necessary for us to articulate simple things, like not being forced to take medication, being allowed not to be locked into a room, to be fed with proper food if that's what the contract calls for.

I ask and invite the audience at home and in the Legislature to look down on this caucus of government members who are here today, flying in the face of the common sense recommendations of this bill, and think of them in their later years stuck in that predicament, having no recourse, no one to turn to, left literally unable to have the support and the succour of their families, and now not even in that situation. They could be malnourished; they could be unsafe; they could be subject to abuse; they could have bed sores because they should be in a better facility.

1040

Without the requirement on people who would take money from those people, who would take responsibility in some way, they need to have our responsibility, which is to look after those seniors. There is no escaping that. The members opposite may hide under their pre-programmed speaking notes. They may, incredibly, hide behind some other governments. They've been in government for five years. I can't imagine what the life of a senior would be like these past five years in a badly run retirement house, and these members opposite can't find it in their hearts or in their minds or in their pocketbooks to find room for those seniors.

I find that incredible, because the very simple rights that should be accorded here are accorded to prisoners, they're accorded to people in any other kind of institution, and these members opposite would not put the onus perhaps on some of their business friends—I don't know what acquaintances or what donations or what other things could possibly get in the way of these members opposite finding in their own communities the means to provide safety and security to seniors instead of some of the incredible obstructionist baffle-gab that we've heard today.

This is a bill required for now because it is now that seniors are in an enhanced vulnerable position. There are fewer government programs. There are charges for drugs that didn't used to exist. There is an absence of rent controls. Seniors in my riding have been forced out of buildings because this government wouldn't get in the way of maximum rents, because this government is allowing above-guideline rent increases. So we will find more seniors forced into unregulated communal environments, who will find themselves only able to afford some of these retirement homes. They won't have long-term care, they won't have the care they should have; they will only have what we in this House decide to provide for them. A decent life—they deserve that.

Mr David Christopherson (Hamilton West): First of all, let me begin by commending the member from Thunder Bay-Atikokan in terms of her initiative to bring

this forward. I have had a fair bit of experience in this issue, particularly when I was on the Hamilton city council and on the regional council.

Let me say at the outset that all three parties, as governments, have not stepped up to the plate and dealt with this issue. There is lots of blame to go around. I don't think it serves anybody's purpose at this stage to be trying to point fingers and saying, "You should have. You had a chance. Why didn't you do it?" We've all got some serious responsibility and blame in this regard. What matters is taking a look at the future and where we're going to go with this issue.

It is a growing problem. It's a growing concern. Eventually, if things continue the way they are, there are going to be deaths and there are going to be further coroner's inquests into why. And at the end of the day, everything is going to point back to this place, because if we take a look at how this evolved, it starts here. It's got to end here.

Let me just take a moment to reflect on the history and the experience in Hamilton, which, let me say to members, I know is shared by at least the communities of Windsor and Ottawa, because like my hometown of Hamilton, they have initiated bylaws that I understand have been referred to earlier by the government, blaming the municipalities, I believe. If that's incorrect, somebody tell me, but I understand that the government members earlier in the debate were saying that the municipalities haven't done their job or somehow that they are responsible, and, boy, nothing could be further from the truth. Hamilton, Windsor and Ottawa, in particular, showed great courage and a great deal of compassion for their citizens when they stepped in and provided at least some rudimentary legal framework for defending the rights of a lot of vulnerable people.

In the 1960s and 1970s in particular, members of the House will know and many of the public will know that deinstitutionalization began in our psychiatric hospitals. That is to say, suddenly the light was cast upon what was called the back wards of psychiatric hospitals, where people were sort of shunted out of the way. They were no longer out in the community; they were in institutions. The institutions were doing the best they could to cope, but it certainly wasn't progressive. So there was an initiative by the government of the day, which was applauded virtually across the board, to start releasing a lot of people who, yes, had some serious impairment and some problems but who with a little bit of help could exist in the community and could live close to what we would call a normal life.

The problem was that when the doors were flung open and people were released, because they really shouldn't have been kept under 24-hour lock and key—you lost all your civil rights because you had a health problem, in this case a mental illness. It seems hard to believe that that was just a few short decades ago, but that was Ontario. When the back wards of the psychiatric hospitals were opened up and people were released into the community, it was a good thing in terms of returning

them their civil rights. But that's where the government's role in all of this ended. People were just virtually released: "That's it. Take care. Have a nice day. See you."

Communities like mine that had regional psychiatric hospitals began to realize where a lot of these folks were ending up. I just want to say parenthetically to my colleague the previous speaker that yes, seniors are a large part of this, but there's a significant component—my colleague from Hamilton Mountain is a doctor in this area and understands it from that end far better than I—there are a lot of people involved in this who aren't, just because they're aged, having to need supports. A lot of them are young people, people with acquired brain injuries. I see a crowd of young people here today. There are a lot of young people who are in motorcycle accidents, car accidents, sports accidents who have permanent brain damage and have the same kinds of needs as someone who is maybe 82 or 83 years old and for different reasons need supports in terms of what's called the activities of daily living.

A lot of folks ended up in Windsor, Ottawa and Hamilton, and I've got to believe, in other communities. Let me say that we don't know exactly what's happening in the other communities that don't at least have a local bylaw, because it's not being addressed. We don't know the degree to which the problem may be worse or better than in the so-called regulated communities.

Eventually people drifted toward just ordinary rooming houses. They didn't have enough money to afford anything else. They tended to be low-end rooming houses, and the owners of these facilities found that their new tenants had some special needs. I won't get into what happens when you've got a good landlord versus bad—I think we can all well imagine—but let's for the sake of this debate here in this short time available talk about good landlords who cared. You had people who are totally untrained in any kind of health care profession providing medication to people—a horrible situation. But if that landlord wasn't doing it, they weren't getting their meds.

Eventually it became such a problem in Hamilton and Windsor and Ottawa that the municipality, in the absence of the government of Ontario stepping in and saying, "We will regulate, we will provide standards, we will provide inspection and we will provide penalties for those who don't meet the requirements"—we have had in Hamilton a council of the day, and I give them so much credit, who said, "We've got to do something. If the province is going to do nothing at all and stand back, we've got to do something." So they stepped in with what we call in Hamilton the second-level lodging home bylaw. Let me tell you right at the outset that it went way beyond what a bylaw was meant to do. I see my colleague the new member from Ancaster-Dundas-Flamborough-Aldershot nodding his agreement, and of course the member from Hamilton Mountain is here, and also the member from Stoney Creek. There are four of us here today.

1050

The fact of the matter is that if these bylaws were challenged, I'd be willing to bet they wouldn't stand up. But nobody has challenged it because at least it's something. Why hasn't the provincial government stepped in and done something? It comes down at the end of the day to money, because once the province steps in and starts to regulate in any way, shape or form, the provincial government then assumes legal responsibility. Given that this is something that has gotten totally out of control, nobody wants to take the first step, because just putting your toe in the water doesn't solve the problem but it gives you all the legal responsibilities.

That's why as much as possible I would like to see this turned into a positive discussion. I think that's the way the member from Thunder Bay-Atikokan is framing it because, I say to colleagues in the House, irrespective of party membership, this is an area we should be stepping into. In the absence of doing something, at best we have bylaws that are regulating health care. Bylaws aren't meant to regulate health care. Bylaws are for street signs, parking regulations and other types of legal requirements at the municipal level. They certainly aren't meant to do the sorts of things that our law in Hamilton is doing.

We have situations in Hamilton—good and bad. The good we're managing, but it needs more money and more attention. The bad is a nightmare. You've got vulnerable people who are being exploited, who are being warehoused. Yes, as a society we're no longer warehousing them in psychiatric hospitals, but we're warehousing them in private warehouses. We have to do something.

I know that Alderman Caplan and Alderman Andrea Horwath in Hamilton are part of a task force now. I think they just completed their work where they reviewed once again, picked up where my task force had left off in the late 1980s, what we had put forward. I met with the previous Liberal minister. Yes, he was very sympathetic but I understood much better years later the dilemma facing that minister.

There are possibilities. Hamilton is offering itself as a pilot project. I would say that this is maybe an offer that could go hand in hand with the bill that's in front of us Bill 53, and a desire, if it existed, on the part of the government to do something about this. This is huge. This is a huge issue affecting probably tens of thousands and as time goes on and we, all the boomers, get older hundreds of thousands of people. It's totally unregulated.

Do I agree with every provision as I see it in this bill No. But I had a chance to talk to the honourable member from Thunder Bay-Atikokan beforehand. She isn't suggesting that all the details prescribed here are all the answers, and I think that shows the seasoning of the veteran member. It is a focal point for us. On a personal level, given the work I've done, I want to say that I think the fact that she was prepared to use her valuable limited time in this House to bring attention to this issue says a lot about her and why she's in this place. Obviously, she cares.

It would be nice, rather than having the government stand up and say, "Here's why this bill is lousy. Here's why the municipality's at fault. Oh, the NDP didn't do this during their time and the Liberals didn't do that"—look, that's not what's needed right now. All that kind of debate means nothing to the people in our communities who need our help. Only we can do it; only this place can do it.

Is it going to happen? Probably not. But miracles do happen; I suppose it's possible. We could get a minister who decides that this is going to be their issue—and I'm not putting down the current minister. We may find somebody who comes along and says, "Yes, this happens to be something I care about passionately. I'm going to move the yardsticks. I'm going to do something." That's not necessarily the bent of what we hear from this cabinet. Even if we had such a minister, they would face tremendous resistance from the cabinet of today.

At some point, I say to colleagues, this Legislature and whatever party is in power are going to have to do something. If you don't do it, if we don't do it voluntarily because we care and recognize that we have responsibilities to these very vulnerable people, then we're going to be forced into it either by law, because of a court challenge, or because there are enough dead bodies that the public pressure is such that we have to do something. That's not etched in stone. That doesn't have to be the future. There is a chance to do something here, something progressive, something important.

For those of you who don't have any bylaws, talk to your public health unit and ask them what's out there. Think about it. You've got landlords, good and bad, who are basically running care homes with no regulations, no standards, no inspections.

I know how inadequate the second-level bylaw is in Hamilton, and yet I also know that it's a shining example of pioneering and blazing a path in the darkness. I shudder when I think of what's happening in the rest of the communities that have nothing. How many people are being improperly medicated, improperly fed, abused, ignored? We don't know. We don't even know the exact numbers. But it's there and maybe in some of the richer communities you'd think, "We don't have that sort of thing." Yes, you do, you just don't know how many.

My time is up. There's so much to be said about this issue. It's incredibly complex, as I know the honourable member from Thunder Bay-Atikokan has said, and I understand the reluctance on the part of some members of the government to take up this challenge, but somebody has to. Collectively we have let down very vulnerable people and we can't afford to do that any more. It's wrong. We need to do something. Passing this at least sends a message that we care. Don't we care?

The Acting Speaker: In response, the member for Thunder Bay-Atikokan.

Mrs McLeod: I appreciate the contributions of my colleagues. I do want to express my dismay, my frustration, at the obvious opposition of the government to even moving this issue to go forward to committee for

consideration. I would have preferred to have had the government bring in legislation of its own last spring and have that in committee for debate. That's why I submitted my bill to the minister last spring in the hopes that it could be part of a government consideration, a genuine consultation on this issue.

I'm struck by the fact that the member for Guelph-Wellington, representing the government, says that the bill is not about people. Seven hundred and nineteen calls from desperately concerned individuals to a hotline in seven months tells you that this is an issue that speaks very clearly to the vital concerns of a great many vulnerable seniors in that community, as is true in communities across this province.

It's apparent that the government has made a decision that it's going to leave the regulation, the setting of standards, in the hands of the Ontario Residential Care Association, which the member for Guelph-Wellington defended so ably. The government has given them \$1 million to set up a hotline to take concerns and ORCA is the association that represents the private operators of the care homes. I think it can do a fine job of accreditation; I acknowledge that. But, as my colleague from High Park-Parkdale has said, this bill isn't speaking to the concerns of people who are in the high-end retirement homes who can pay the \$4,000 or the \$5,000 or the \$6,000 a month to meet the standards that ORCA has set to get that high level of care. This bill is probably speaking primarily to those who can only afford the lower-end care homes, where the quality of care is not assured and where all too often we are hearing the horror stories emerge.

The member for Simcoe North said that the municipalities have failed. Again, it's clear that this is the direction the government is going to go: put the blame on the municipalities, require the municipalities to do any of the enforcement of any violations of existing laws, and for that to happen, the municipalities have to set up their laws. It is time for this to go forward.

The Acting Speaker: This question will be decided at 12 noon.

1100

PUBLIC SECTOR EMPLOYEES' SEVERANCE PAY ACT, 2000

LOI DE 2000 SUR L'INDEMNITÉ DE CESSATION D'EMPLOI DES EMPLOYÉS DU SECTEUR PUBLIC

Mrs Bountrogianni moved second reading of the following bill:

Bill 104, An Act respecting the payment of Severance Pay to Public Sector Employees / Projet de loi 104, Loi concernant le versement d'indemnités de cessation d'emploi aux employés du secteur public.

The Acting Speaker (Mr Michael A. Brown): The member for Hamilton Mountain has ten minutes.

Mrs Marie Bountrogianni (Hamilton Mountain): The incentive for this bill came from some outlandish golden handshakes in the Hamilton area in the last decade which led, quite legitimately, to public mistrust.

In researching this bill, however, I discovered that these golden handshakes are quite common across the province. At a time when we are asking so much from everyone in the public sector, this is really demoralizing for the public. In fact, the accountability to the public in this area is astounding.

I'll give the House some background examples on this in a few moments, but I'd like to go over very quickly what Bill 104 is all about.

"This bill provides that a public sector employee who is not subject to a collective agreement is, upon termination of employment, entitled to a severance pay of no more than an amount equal to 24 months worth of wages."

Given that most of these executives make hundreds of thousands of dollars a year, this is still quite generous—because one of the criticisms of this idea or bill that has come to my attention is that you can't attract good people if you introduce this. If they're making hundreds of thousands of dollars and they still can get 24 months' wages for severance, it's still a very attractive package, very generous. Let the others go work for IBM and Coca Cola, as far as I'm concerned.

"In the case of a severance payment in an amount of \$100,000 or more, the employer is required to obtain the approval of the minister before the amount is paid to the employee." That's the finance minister or delegate of the minister.

This bill also establishes the Public Sector Employees' Severance Pay Council to review all such agreements by public sector employees and determine whether they comply with the act and the regulations.

"The bill also provides that if a public sector employee who receives a severance pay finds other employment in the public sector after his or her termination, he or she will have to reimburse a part of the severance pay determined by regulation to the employer...."

"Finally, the bill requires that if a public sector employee is to receive a severance pay of \$100,000 or more, the employer must make available for inspection a written record," basically making those severance packages public, which is essentially an extension of the government's Public Sector Salary Disclosure Act of 1996, the sunshine law.

Let me give you some examples of some of the situations that are quite disgusting and quite demoralizing to the public.

In Hamilton a few years ago, the former head of the Chedoke-McMaster Hospitals, Dr Jennifer Jackman, was offered \$1.8 million in severance when she left that job. Public sector employees, when they voluntarily leave a job, are not entitled to severance. But with weasel words, with very clever lawyering, whether you leave on your own volition or are asked to leave, you get a hefty severance package when you're in this elite group. That

amount of Dr Jackman's was eventually capped at \$818,000 and payments have since been stopped, pending litigation. This litigation, by the way, is also paid for by taxpayers' dollars. It also left a very bitter taste in the mouths of taxpayers in the Hamilton region.

Mr Scott Rowand was brought in after Dr Jackman as CEO to oversee efficient and effective programming, as well as to be the chief financial steward. He departed leaving the organization in financial chaos, and still received a \$500,000 golden handshake. He also left on his own volition. This too is in the courts at taxpayers' expense.

Just before Mr Rowand, Dave Watts, the chief financial officer of the Hamilton Health Sciences Corp, resigned and received \$300,000 in severance pay. Again, let me remind you, typically an employee who quits doesn't get a dime in compensation other than the wages they get until the day they leave.

Here's where it gets very significant with the timing of amalgamation and the hiring of new upper executive positions. Doug Lychuk, the city manager in Hamilton, was just rehired as city manager for the new amalgamated city of Hamilton. The new council will have to pay between \$172,000 and \$278,000 in severance if it decides to part company with him. This information, by the way, was not publicly disclosed; it was—

Mr Brad Clark (Stoney Creek):—ferreted out.

Mrs Bountrogianni:—yes, ferreted out—thank you member for Stoney Creek—with the freedom of information act, by a reporter in Hamilton.

We're paying these severance packages and we don't have the right, as the public, to call up and ask city hall "What is the severance package of the new city manager?"

Lychuk's contract also contains a clause that requires the new council to keep any termination a secret until he gets a new job, or until his contract expires in 2002. Where is the accountability here? What incentive does this new city manager have to be accountable to the public, to the council, to pestering MPPs when they're advocating for their constituents? It's not a wonder that many of these people don't answer calls.

The severance package in Lychuk's contract is more generous than that available for most unionized employees with the present city and region. Only those with a decade or more of service would get packages that approach what Lychuk would receive. Howard Levitt, prominent Toronto labour lawyer, says up to 18 months of severance is generous for an employee who has just been hired. It usually doesn't occur unless you've been hired for six or seven years.

A few more examples:

Bill Pilotis, the former superintendent of human resources at the Greater Essex County District School Board, earned a staggering \$227,736 as a result of a retirement package in December 1999. He was then rehired by the public board as a negotiations consultant \$700 a day. This is double-dipping and shouldn't be allowed. At the very least, we should know about it with

out going to the Freedom of Information and Protection of Privacy Act.

Al Collins, the former executive of Grand River Hospital, was paid more than \$125,000 in 1998. He resigned abruptly in June 1997 in the wake of a provincial investigation into the hospital's burgeoning deficit. Shortly after he left, the report blamed poor management for many of the hospital's troubles. The reward: \$125,000. What incentive is there for accountability?

Allan Kupcis, the former Hydro CEO who left in August 1997 after a consultant diagnosed mismanagement at the giant utility, was paid \$942,959—I can't even say these big numbers; anyway, close to \$1 million in 1998 as part of his severance package. This is after a consultant diagnosed mismanagement.

Lloyd Preston, the former CEO of Windsor Regional Hospital, left the hospital three weeks into 1998 but still earned more than \$675,000 as part of a golden handshake.

And this isn't a recent phenomenon. In 1992, Roger Hunt, the former president of St Michael's Hospital, agreed to resign in exchange for a rumoured \$360,000 in severance pay, "rumoured" because we still don't know for sure. We don't know the specifics of the deal because it was forged behind closed doors.

The only criticism I've heard so far is—well, one of two criticisms—"We can't attract good people if we make severances public and we have this accountability." I'd like to believe there are people out there who are willing to work for the public for a few hundred thousand dollars a year and 24 months' severance. I can't believe that we don't have people like that.

The other criticism is red tape. Well, please send this to committee and amend it so that the red tape isn't cumbersome. Don't let that serve as an excuse not to look at this seriously. This is simply an extension of the Public Sector Salary Disclosure Act, your sunshine law passed in 1996. The cost of lawsuits to the public is enormous. The public mistrust is growing. If the provincial government wants to be wise and responsible, it needs to put province-wide guidelines in place to oversee executive severances in the public sector.

This is a time when amalgamations are occurring—of boards, of cities—when new contracts are being drawn up, and we as taxpayers, the shareholders here, cannot even know what we are paying in severance packages. Some outlandish, unaccountable deals are being made behind closed doors, under the guise that we want to keep the best. I'd like to believe, and I'm optimistic enough to believe, that there are good people out there who are quite willing to be open and accountable to the public, to their employer and to the taxpayers of this province.

I hope you consider supporting this bill. I can't see how you wouldn't support this bill, and I look forward to tearing your comments on all sides of the House.

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Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I will be sharing my time with two of my colleagues, the members for Barrie-Simcoe-Bradford and for Stoney Creek.

I am very pleased this morning to join the debate on Bill 104, An Act respecting the payment of Severance Pay to Public Sector Employees. I think this bill, introduced by the member for Hamilton Mountain, is a good start for discussion on a very important issue. I compliment the member for all the hard work she has done to bring this bill forward.

A fair and just severance payout is important for public service sector staff at all levels, but it is vital that we ensure that the interests of taxpayers are taken into account. A good severance package is important in attracting good staff, whether you are talking about government or the private sector. The government, too, must fight against the brain drain. Good use of the people's money requires an investment in quality employees. This government has always put the interests of hard-working, taxpaying citizens first. These interests should be applied as a test to every piece of government legislation. Bill 104 contains several technical issues that I believe merit further study.

The bill does not amend or repeal any existing provisions in Ontario's labour laws. It contains no definition of severance pay, which would really fall under two provisions of the Employment Standards Act. These are severance pay and pay in lieu of notice of termination. From my reading of Bill 104, it would seem that both provisions are meant to be covered.

As members may know, the Ministry of Labour and the government recently completed a process of consultation with Ontarians on the Employment Standards Act, a worthwhile and healthy discussion of views, held in five Ontario cities. A lot of good input was received from unions, businesses and ordinary citizens about the standards that should exist in Ontario's labour market.

Bill 104 would establish a public sector employees' severance pay council, chaired by the Minister of Finance. While this may sound like a good idea in theory, I think some questions about its usefulness need to be asked. This bill could set up a situation where every major severance payment made by the government, a municipality or other government-funded body is no longer a staffing decision but a political one. If Hamilton, Toronto or Kingston dismissed a senior staff member with a large severance, this would have to be reviewed by the finance minister. We could be faced with all sorts of agencies, hospitals, cities or others having many of their staffing decisions go all the way to Queen's Park.

If a former municipal employee is laid off in, say, Windsor, and they are denied the severance they feel they are entitled to by some future minister, will they end up suing the province over it? I understand the problems the member is aiming to correct, but I wonder if this bill goes too far.

The bill exempts from all its provisions public sector employees who are covered by collective agreements. If we were to pass this bill, wouldn't it be fairer to include everybody? Should there really be one standard for union members and another standard for non-unionized em-

employees? I firmly believe that every government employee should be bound by the same rules in this matter.

This government committed in its Blueprint to increase freedom of choice for workers, to strengthen their right to decide whether they wish to be in a union, through a clear and fair secret ballot. I am committed to fighting for the rights of every worker in Ontario to be able to choose and enjoy the same rights before the law. If this bill passes, it should not place obligations on non-unionized employees that it does not give to union members.

I also note in this bill that the member for Hamilton Mountain is proposing that any severance package over \$100,000 must be made public. The member is surely being guided in this proposal by the Public Sector Salary Disclosure Act, an excellent piece of legislation passed in the government's last term.

Bill 104's provisions in this area are obviously modelled on the PSSDA, which allows the public to see a list of all government employees making over \$100,000 a year. In the same vein, I hope the honourable member will support our government's Blueprint commitment to pass a sunshine law for union bosses requiring them to disclose their salaries, benefits and expenses to union members. Perhaps she may even wish to propose an amendment to this bill to extend the restrictions on public sector severance to include public sector union leaders.

All in all, this bill raises a number of issues that are important for this House to consider.

I would like to again commend the honourable member for Hamilton Mountain for presenting this bill to the House. It contains a number of ideas that I believe are worthy of further study. I intend to support this bill in principle and look forward to seeing it move forward to committee. As the Ministry of Labour moves ahead on its changes to employment standards, it is possible that the member may find her concerns taken into account to such an extent that she could even withdraw her bill. Either way, I will be pleased to work together with the member for Hamilton Mountain on this issue in the future.

The Acting Speaker: Further debate?

Ms Caroline Di Cocco (Sarnia-Lambton): It's with great pleasure that I stand in support of Bill 104. I applaud the member for Hamilton Mountain for bringing it to this chamber.

The reason I speak to this is because of some very significant experiences in Sarnia-Lambton with regard to some huge payouts—actually, it had to do with a director of education. Again, one of the issues here is that there is no open process about severance pay for individuals who are making way over \$100,000. When it comes to their severance packages, for whatever reason they leave, first of all it's very difficult to find out what exactly is being paid to them. There is also the fact that the money that was paid out to this individual was way in excess of \$600,000. This is a person who is in the middle of his career, who will go on and is going on to work again for the public sector.

There's such a great need in the education system for money that is not available, and yet we're paying huge amounts. This individual, this director of education—this happened in 1998-99. We had a judicial inquiry because of the tremendous amount of corruption that was involved, and this individual played a huge role in wasting millions of dollars of taxpayers' money in the community. As I said, the findings of the judicial inquiry reinforced his role in this corrupt scam.

One of the problems that happened, though, is that in his termination, if they wanted him to leave, he got the golden handshake. So not only did he, in his position, not do his job and abuse his position, but he was given this huge golden handshake. I and a number of my constituents actually brought this—this was before I got into politics at the provincial level—to the attention of the ministry of the day, and we tried to get some accountability. We said, "These are public funds. Can you not somehow intervene and address this \$600,000-plus?" There was other money involved as well. But at that time the ministry said, "No, we can't get involved. There's nothing we can do."

I think it's appropriate that we support—and I'm pleased to see that the government members are going to support—this bill, because it is about responsibility of government to properly manage an abuse that's in the system. Just because they're at an administrative level, it doesn't give anyone the right to abuse the system because it's hidden or because they're able to make the decisions behind closed doors.

1120

I want to conclude by saying that this bill is a real way to get fiscal accountability, because millions of taxpayers' dollars have been paid out for severance to high-priced administrators. The member from Hamilton Mountain certainly gave a number of examples where-by—again, if we added it all up, it would be an obscene amount. The savings that would be incurred should be directed into the programs and not just to an individual who is getting a golden handshake.

It is a bill about responsibility. I want to applaud the member from Hamilton Mountain for bringing this one forward. It has been on my mind from the minute I came here, because probably one of the reasons I'm in public office is that I try to get accountability in my area. I spearheaded the quest for the inquiry locally on this issue. It involved this director of education.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate. I certainly understand the intent of what the member from Hamilton Mountain is trying to achieve. Unfortunately, this is the type of act that you can get around quite easily. What she's focusing on, and legitimately so, are agreements that are made between the employer and the employee that are negotiated agreements. That's what the act would cover.

Unfortunately, you can get around that quite easily, as any sharp lawyer could figure out. You could have the settlement that is reached by the individual especially if

you've initiated court action. If you initiate the court action, you can get a court order with respect to endorsing that particular settlement. It would be a decision of the court. If it's a decision of the court, whether it's resulting from the court making the decision at the end of a full-scale trial, which might be the preferred option to get around this act, or just having the agreement or whatever settlement they come up with being endorsed by the court as a court order, this act will have no impact, none whatsoever. That's a loophole that you can find to skirt around this act.

What she's trying to impose are severance controls, and obviously she could with respect to saying the cap is going to be at 24 months. At common law you very rarely find an award for non-union employees that would exceed that cap. I don't think I've seen maybe more than one or two awards that would exceed 24 months. That's usually in a situation where you have a lengthy service and you have an individual who is in their 50s to 60s and in a very high-profile position within the organization.

The problem here—and I'm just playing the devil's advocate because I understand the intent and I understand the anger that's happening out at Hamilton; we haven't had those situations in my riding that I'm aware of—is that there are ways to get around this act. I suggest very strongly that when you also look at a situation where a person who gets severance pay and takes another job in the public sector has to reimburse a portion of that severance pay to the employer—obviously they want to regulate that, but that's something that's going to be looked at as a way to get around this. You won't go the agreement route; you'll go the litigious route.

One other aspect of the bill—and I guess maybe it's just bad drafting or perhaps inadvertently missed. In section 6 it reads: "A council know in English...." I don't know what that means; probably it doesn't mean anything. Probably it should be redrafted as, "A council shall be known in English as the Public Sector Employees' Severance Pay Council and in French...." That's obviously a drafting error that wasn't caught by the member.

I will say that obviously the public has a right to know about the transparency of these severance arrangements and certainly to make sure that they're fair and in the public interest, and I think that's the intent of what the member's trying to accomplish here: fairness to the public, accountability, transparency. I think we all want that with respect to the public sector, but she's focusing in a very narrow area with respect to agreements. What he may be encouraging—and she'll have to look at this a little closer if it gets to committee—is to make sure that all the loopholes are closed.

I'll say in closing that I think there are a lot of loopholes here, though the intent is proper. So I'll relinquish my time and the member for Stoney Creek can take it up later.

Mr Ernie Parsons (Prince Edward-Hastings): I'm so pleased to rise to support Bill 104.

I have some knowledge of the public sector work environment. I spent some six years with what at that

time was called the Department of Highways. We went through a number of name changes, to Ministry of Transportation and Communications and Ministry of Transportation, which they presently retain, though they are somewhat a shell of the former organization.

Just as an aside, I would like to suggest that it may be time to go back to "Department of Highways" because this government has clearly indicated very little interest in supporting trains or mass transit, even though they have proven to be highly effective in the rest of the world. This government seems to be interested in automobiles and gasoline taxes and parking cars on the highways around Toronto.

Nevertheless, in my experience with the Department of Highways, I worked with people who drove snowplows and who did construction inspection during the summer and who worked incredibly hard. I also worked with people who were senior bureaucrats. It is popular to make fun of civil servants. I will quite frankly say that, as a former civil servant, I'm proud of my experience. I believe I can be proud of what I did with them.

The bureaucrats that I worked with in the Department of Highways and the Ministry of Transportation were extremely dedicated individuals who worked very hard to better Ontario. But I noted with them, as the government has gone through the privatization of highway maintenance and a lot of the highway design and construction, that there's been a profoundly different treatment for the low-wage earners and the high-wage earners.

The low-wage earners were initially ensured that they could in fact get together and bid to do the maintenance and then never were given the opportunity because the guidelines simply wouldn't permit them to do it. They left with relatively little money. Senior people left with a considerable amount of money. That seems somewhat ironic to me, because a 45-year-old labourer will have a challenge finding other employment. A 45-year-old senior bureaucrat is probably in the prime of her or his life and is able to find other employment much easier. In fact, so often we've seen with public sector organizations in this province that when they've had budget restraints, it has meant doing massive cuts to staffing at the low-income level, the low-wage level, while the higher-wage earners are in a position generally to do much better for themselves.

What I like particularly about this bill—and I will say that it has not been a problem in my area that I am aware of. I certainly have read the media and seen that in some parts of Ontario there appears to be a clear abuse of the process, with people receiving large severances, leaving on a Friday and then appearing at another job paying perhaps as well or even better the following Monday while taking half a million dollars with them. I don't believe that's been the situation in my riding; I'm certainly not aware of it.

But I am aware that there is continued dialogue from the government side that they're spending more money on this and more money on that and yet the number of individuals delivering the services continues to decrease.

I hope that this is in a sense a sunshine law that will allow us to see what of these increased expenditures are accounted for by severance payments. When we see more money spent on health and yet we know that there have been severance payments with hospital amalgamations—a reduction in senior people there—I don't truly believe that should be counted as health dollars. I've had some difficulty finding out how much of the new, increased health budget simply went to pay off bureaucrats. I was hoping the government would react more to the auditor's report, when the Provincial Auditor actually said this government's books are very difficult to analyze. It's extremely hard to find what expenditure went to each area. So I am suspicious that there is more than one instance of \$500,000 or \$600,000 in termination benefits being paid to an individual, and yet that appears as more money for education or health or roads.

This bill means the numbers will be published, and we will be able to get some sense of money that says, "Yes, maybe there are cost savings with amalgamation, but this is the price that has been paid in taxpayers' dollars for that cost saving." So it is indeed my pleasure to support it. Although I think bureaucrats work equally hard whether in private industry or in public life, the reality is that in public life it is a different environment and there needs to be a recognition that their dollars come from the taxpayer and need to be reported and accounted for publicly.

1130

Mr Clark: Just a moment ago, the member for Prince Edward-Hastings said this bill is basically a sunshine bill. In reality, that's what it is. Our side, our government brought in public disclosure acts to deal with public salaries, the \$100,000. The public clearly desired to know the salaries for public sector employees. This, in my view, is an extension of that. This, in my view, is something that is desperately needed.

The member for Sarnia-Lambton said earlier she would be curious to know what the grand total was in Hamilton: \$2,850,000 in severance packages, \$2.8 million in golden handshakes that the taxpayers knew nothing about until it was ferreted out. If you think there's anger in my community, that's an understatement. That's a complete understatement. There's frustration, there's exasperation. This has been going on for years.

I congratulate the member for Hamilton Mountain for bringing forth this item, because we clearly need to know where the money is going. They call them golden handshakes. The only people I've spoken to who don't like your bill are bureaucrats and lawyers. Those are the only people who have said, "This bill doesn't make sense. You shouldn't be doing this." You've got to wonder whether there might be some vested interest in that, considering that the bureaucrats would like to see these wonderful golden handshakes maintained, and lawyers, when they're in litigation, also like to see golden handshakes because that helps them too.

At the end of the day, what we're talking about is an unfair situation where in Hamilton, for example, mis-

management, misgovernance were brought forth. All of a sudden there was a decision that the CEO was going to leave. You have to wonder what happened behind closed doors: "If you don't pay me this amount of money, I'm going to sue. We'll go to court. We'll drag it out, and it will all be out there for everyone to see." So then they sit down, and it's kind of like being held for ransom. All of a sudden you get a \$1.8-million offer and she wanders away into the sunset, except the public finds out about it and there's outrage. Then there's reshuffling and backpedalling really quickly to fix it. At some point, the government of Ontario has to say enough is enough.

There are some things in the bill—and the member for Hamilton Mountain and I have spoken about it. I don't support everything in the bill. There are some things that need tweaking, in my opinion. It's not a perfect bill. To be honest, I don't think I've ever seen a perfect bill. They all need tweaking at some point. I've encouraged my caucus colleagues to support the bill and send it to committee so that we can have real debate on it, review it, improve it and fix the situation.

As part of our Blueprint, we're talking about another sunshine law we'd like to see, and that's with union employees, the union leaders and their salaries. Union members are curious: "Well, what exactly are they getting paid?" We don't know. Here's an opportunity to take one step further that sunshine mantra, if you will, that we've started.

I think it's great that the member has brought it forth. I know for a fact, and I assume that all the members from Hamilton-Wentworth would agree, that the constituents in our communities want this. They're angry about it, they want it to stop and they're looking for help. It has to stop here. I look forward to continued public debate on it as it moves forward to committee, and I encourage my colleagues here to support the bill.

Mr Dominic Agostino (Hamilton East): I want to congratulate my colleague from Hamilton Mountain for bringing forward this bill. It's a piece of legislation that's long overdue, and frankly it's something the government should have done three or four years ago. Let me read a quote:

"I don't care if it's a hospital board, a school board or a local municipality, these people are representatives of our community. They are also responsible ... to their constituents and I think it is incumbent upon them to come clean, if you will, with the public at large."

"Last week, health minister Jim Wilson described the size of the payout as 'disturbing.' Mr Eves, while not commenting on the controversy, said he wants better accountability when taxpayer dollars are used...."

"Mr Eves said he'd like to see changes but doesn't know whether it's best to make amendments to the disclosure act or give the provincial auditor more authority to look at the financial records."

That's October 9, 1996, on the fallout of the Dr Jackman controversy at the Hamilton Health Science Corp.

It has been four years since that legislation was put in place, and four years that that loophole has been left open. I think the time has come, first of all, to close that loophole in regard to disclosure. It makes all the sense in the world. It makes sense clearly from a taxpayer perspective to put a cap on severance packages. It is taxpayers' dollars we're talking about. It is not a question of a private corporation. An IBM or Bell Canada can do whatever they want; they're responsible to their shareholders. If they want to pay \$10-million payouts, that's their choice. Publicly-funded corporations and organizations are accountable to taxpayers, and frankly there's been a history of golden handshakes right across this province that are not too short of obscene. The people who get ripped off, of course, are the taxpayers.

In credit, to some degree, some organizations have the made changes, for example, the Hamilton Health Sciences Corp. With the Jackman deal, there was no provision in the original contract as to what the severance package would be. In reference to Mr Scott Rowan, they signed a provision right up front when he signed the contract as to what the severance package was going to be, and disclosed that up front. So some progress has occurred, but not enough across Ontario and not in a consistent way.

If you look at some of these deals, and I was quite involved in the Jackman deal—the frustration of getting that information out or of trying to get that information, stonewalled by the board, by the administration for almost a year, bits and pieces coming out. It took over a year to find out there had been almost a million-dollar payout to a CEO who had not been fired but who simply chose not to apply for the position at the merging of the two corporations.

I think that triggered a lot of anger. At a time when hospitals were hurting and funding was an issue, there were these golden handshakes of a million dollars to CEOs. It's not just Hamilton; it's unfortunately too common across this province.

This piece of legislation is long overdue and I think what's important here is how serious the government is going to be about bringing forward real change with this legislation. It's going to be easy to sit here today and say, "Wonderful, I'll support it."

I appreciate my colleague from Stoney Creek saying he should go to committee, and I hope it does. Because if it's just killed and sent to committee of the whole, we're not going anywhere. I hope you are sincere about sending it to a standing committee. There may be some amendments or some need to fix or change what's in here to make it a little tighter, and I have no problem with that. I think it's a very good piece of legislation, and I think my colleague, who spoke out very strongly in Hamilton-Wentworth and locally on this issue, has brought forward a piece of legislation that is long overdue and badly needed.

I find it bizarre that we had the sunshine law, that everything else was in there—salaries and benefits were there—but somehow severance packages were left out,

and that's a pretty simple amendment. It's not rocket science; it's not that difficult. The same way that information is filed now through the ministry, the information regarding severance packages should automatically be filed at the point the severance package is paid out.

1140

I urge all members of the House to support this. I congratulate my colleague for this progressive piece of legislation, one that makes a great deal of sense, one that is going to ensure there's a transparent process here, one that's going to ensure that public accountability is there, accountability to the board of directors, to the corporations that are involved, and one that's going to ensure, most of all, that taxpayers in this province, whether it's municipalities, hospitals or school boards, don't get hosed every time a golden handshake is given out to someone who leaves.

Mr David Christopherson (Hamilton West): It's my pleasure to join in the debate. I'd like to join with my colleagues and compliment the member for Hamilton Mountain for Bill 104, because I think it does respond obviously to an issue that originated for us in Hamilton but, as we're hearing, affects virtually every riding across the province.

I was somewhat dismayed to hear the parliamentary assistant to the Minister of Labour, the member from Bramalea-Gore-Malton-Springdale—we've really got to do something about these names; they're getting so long—throw into what was otherwise pretty much an agreeable debate their changes to the Employment Standards Act. I don't know why he would inject that into this. This is a proposal by the government to increase the workweek to 60 hours and create a formula that will deny people overtime rates they now get. Why you would inject that into this is probably more symptomatic of where your attitudes are, that you see that as a good thing, "Yes, let's make people work longer hours and let's try and do what we can to deny overtime pay," because that's the effect your changes to the Employment Standards Act will have.

Specifically to Bill 104: Like many of my colleagues, there are details of the proposal that I think need a lot of work, but the direction we're hearing from all quarters here today suggests it has support and should be taken to the next step. I understand the government this time is not going to play the game you played last week with Marilyn Churley's clean water act, that indeed in giving your vote of support on the first go-round, this time you're actually going to vote to send it to committee, which means it has life, unlike Marilyn's bill, which was sent to committee of the whole, which for those of us in this place means it's never ever going to see the light of day. That was your game plan, and you got called on it, by the way. It was nice to see that there was a little media coverage on the fact that that's what you were up to. But I understand today that's not the game plan, that this really will go to committee and be in the lineup to be considered, hopefully in a non-partisan way, because at this point it's not a partisan issue.

Let me express a couple of thoughts, though, that are not purely on the populist line. One of the things we've got to be careful of is—and I don't mean this is in any way to be a criticism of my colleague from Hamilton Mountain; this is my own experience that I'm putting on the record here—we need to accept the fact that this government in many ways creates a climate where it's OK to go after anybody who's in the public sector. You're a little gentler today because it's sort of senior level. I would say to government members, for many of you it's more you see it as equals rather than those others who do all that other stuff, those other public sector people whom you claim are a waste. That's why the only thing that matters to you is to be able to stand up and say, "We got rid of 10,000 public sector workers," or "We got rid of 20,000 public sector workers." The fact that hundreds of those workers used to be in the Ministry of the Environment analyzing water is not something you want to talk about. But I do worry that there's this climate—and I don't think we ought to be allowing ourselves inadvertently to feed into that—of going after people who work for the public. I would include in that elected representatives. It's not healthy for a democracy, and so I think we need to be careful. There are senior civil servants who are grossly underpaid by comparison to what they could get in the public sector. Rather than just saying, if that's what they want to do, "Go," it would be nice if we started talking about some of those abuses that are putting pressure on us who have to manage tens of thousands of people in a workforce.

The fact is that you've got bank presidents earning not just their golden handshake but \$5 million, \$10 million, \$20 million, \$30 million, \$100 million a year, with stock options, and you wonder why there is upward pressure on the wages of senior bureaucrats? Let me tell you, somebody who runs major corporations in this province—a hospital corporation—it's no different in terms of the work that's in front of them than it is for a CEO of a private corporation or a publicly traded private corporation that has 20,000 or 30,000 employees. There is a certain set of skills that you want in people who are going to be responsible for budgets of tens of millions of dollars and the size of workforce I've just mentioned.

I don't think it's particularly healthy for the people of Ontario to have senior bureaucrats who see going into the public sector as just a stepping stone, purely and simply. That is going to happen sometimes, but I wouldn't want that to be routine. I wouldn't want that to be the usual process, where they just want to get in here somewhere within government so they can make contacts and step out and make three or four times more, because it's important for us to have continuity, where we can, in leadership positions.

I'm reflecting now on my time in cabinet, where you are responsible at the cabinet table. There is at least one cabinet minister here—a second one just came in—who knows exactly what I'm talking about. When you're dealing with deputy ministers and when you're dealing with commissioners and heads of boards and commissions, you're dealing with serious wage levels.

We ought to recognize that just going after people who work in the public sector, whether it's somebody who collects the garbage, plows the snow off our roads or manages a huge public corporation like a hospital, like the Hamilton Health Sciences Corp, are all in the same universe.

I just want to say, let's just be careful that we aren't inadvertently doing some damage here, because there are people—

Hon Margaret Marland (Minister without Portfolio [Children]): Where did David Agnew go?

Mr Christopherson: Pardon me, Margaret?

Hon Mrs Marland: Where did David Agnew go?

Mr Christopherson: I don't know, Margaret. Would you like us to adjourn the House and I'll find out for you? Margaret, I want you to worry about the desks, OK? You haven't solved that one yet—100 years old, remember?

Back to the point: I think the member for Sarnia-Lambton tied into one of the biggest issues that we're dealing with right here, and that's the whole issue of accountability. We need to make sure that we shed some light on this. Until you get inside the issue and find out exactly what dynamics are at play, seeing a dollar figure doesn't offer up a guarantee that something wrong is going on. But in the absence of some information, that's going to be the conclusion, especially when most people are making a fraction of the money that we're talking about. If you're earning \$40,000 a year and you see somebody who walks away with \$300,000, no matter what you might be told, unless somebody assures you that this has been looked at with your interests in mind, you're going to think they were overpaid, and that may very well be. Certainly the one instance raised in Hamilton clearly was, and by the time it went back to the board and was analyzed, they had to make some changes fast.

To me, accountability is a big part of this. Whether or not it should go to a committee—was it of deputy ministers? That may be a bit much in terms of the other responsibilities they have, but certainly the notion that there's accountability and that the people who are paying these severances through their taxes have some assurance that that accountability is taking place I think is a significant step.

1150

While we're at it, if we're going to be imposing things on the public sector, maybe we ought to be taking a look at what we should be doing in the private sector. You can't separate the two at the end of the day, when we draw our managers from the same pool. So the idea that we are just going to go after people who work in the public sector and do nothing on the private sector side find somewhat problematic. I understand the legal implications involved there, but I would hope that if it got in front of a committee, they would take the time to look at that and say, "If it's fair here, is there something over here correspondingly on the private sector end of things that we should be doing also in the interest of fairness?"

I raise that because the member for Barrie-Simcoe-Bradford talked about the courts and how you could get around this just by taking legal action, finding yourself in a court and winning a court judgment that takes you beyond what the law is or what the guidelines are. You know, he works for employers advising on labour law. I understand he still does some of that even while he's here. That's perfectly legal; I'm not suggesting it's not. I went down that road once. Nonetheless, that's his role and he does that, so he does know of what he speaks in terms of the arguments he makes, and when it comes to finding loopholes and what sharpie lawyers can do, well, you figure it out yourself. But I think the fact that he points this out as a loophole means it's one that we ought to take seriously. Again, to me that speaks to the fact that we ought not to think we can deal with this in seclusion; we've got to deal with it in the broader sense.

I think one of the important components of any kind of accountability and review is that people have a sense that there are in some fashion public representatives there: ordinary folks, particularly from a local community, some opportunity for them to be a part of that. Again, why? Because if all we do is build in an internal review that is in and of itself non-transparent, we're still going to have the same problem. People, the general population, will still not believe there has been true accountability; this is just one more step in a quiet little club in the background sharing up the spoils of their tax money. Certainly I believe the intent of the member from Hamilton Mountain on Bill 104 was completely the opposite.

So again, the accountability is key: who's on there, what's the process, making sure that we're not doing things in isolation as if the people we hire are somehow bred from birth to work in the public sector. We need to recognize that there is a private side of it, and it is driving in large part much of what is happening. So I think it ought to be totally broader in its review, and I think we ought to be doing it in a climate that talks supportively of the fact that the overwhelming majority of people who work for the public do a good job, just like the vast majority of the people in this place are here for the right reason and they do their job conscientiously and they care. We may disagree about different aspects and different directions, but the notion that most people are here because they care, to me, is true. It's equally true of people who work in the public sector, whether they're directing traffic, putting out fires, operating on us in our hospitals or managing these entities.

The government's notion of throwing in this business about union bosses and, "Wouldn't it be nice; I'm sure union members want to know" is more of your propaganda. The fact of the matter is that virtually every constitution I've ever seen in the labour movement points out very clearly what people are making. I don't think this is going to upset anyone. If we want to start going into that arena, though, because that's not taxpayers' money, then maybe the sunshine law ought to apply across the board, virtually to everyone. Then we will all

spend time pointing fingers at each other, saying, "You get this; that's too much," and maybe that's what you want. But this idea that you're going to point out some kind of evil within the labour movement, you're going to put the light on it and let people see, that's just nonsense. It's already there. In fact, you could learn a lot about democracy from the way the labour movement operates, let me tell you—a lot you could learn.

In wrapping up, I compliment my colleague. I think this was one of her first initiatives that she grabbed on to early on. I want to say again, because we can never say it enough, she did a fantastic job in being, certainly, the public leader in terms of us as elected representatives in saving the Henderson. This issue was a part of that. I think this bill deserves the attention it's getting today. I do hope it goes to committee and I do hope we take a look at it in a non-partisan way and fix something that clearly is broken.

The Acting Speaker: I would remind members that private conversations more appropriately take place outside.

Mrs Bountogianni: I'd like to thank the members on all sides of the House for their comments, their constructive criticism and their support. I'd like to thank the member from Barrie-Simcoe-Bradford for catching the typo and for alerting me to the loopholes. I'm not a lawyer, so I appreciate that advice. I did have a conversation with your Minister of Labour over the summer and he alerted me to those loopholes. It is my hope that this bill passes and goes to committee, where those can be looked at closely. My intent is not for more litigation; my intent is the opposite, to bring public accountability, to bring some fairness to a process which is tremendously unfair and to reduce litigation costs, because most of these outlandish golden handshakes are actually in the courts right now and we're paying for those litigation costs. It would certainly be ironic if this bill did the same. I don't want that.

The most important part of this bill, in my personal opinion, is the public disclosure part, which is an extension of your act of a few years ago. I think nothing angers the public more than deals behind closed doors on money that they are paying. We are the shareholders of the public purse and we just want to know, as taxpayers, what we're paying.

The criticism of the red tape hopefully will be dealt with in the general government committee. That, hopefully, is where the bill will go if passed. The other criticism was that we won't be able to attract good people if we do this; I've heard that. I didn't hear it today, though, and I was pleased. That obviously means that serving the public should be the utmost objective in getting any of these positions, rather than making millions of dollars. A lot of us here took massive pay cuts to be here and—I can speak for myself—don't regret for a minute the decision because there isn't anything like serving the public.

I am optimistic. I think we will continue to attract excellent executives and keep the public satisfied that we

are being accountable. I thank you for supporting this bill.

The Acting Speaker: The time allocated for this ballot item has now expired.

CARE HOMES ACT, 2000
LOI DE 2000
SUR LES MAISONS DE SOINS

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 37. Mrs McLeod has moved second reading of Bill 53, An Act to provide for the accreditation of care homes, to protect the rights of tenants and to amend the Tenant Protection Act, 1997. Shall the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

We'll call in the members, but first we'll deal with ballot item number 38.

PUBLIC SECTOR EMPLOYEES'
SEVERANCE PAY ACT, 2000
LOI DE 2000 SUR L'INDEMNITÉ
DE CESSATION D'EMPLOI
DES EMPLOYÉS
DU SECTEUR PUBLIC

The Acting Speaker (Mr Michael A. Brown): Mrs Bountrogianni has moved second reading of Bill 104, An Act respecting the payment of Severance Pay to Public Sector Employees. Shall the motion carry? Carried.

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: Was anyone opposed on the previous bill?

The Acting Speaker: It carried. I didn't hear any noes.

Mrs Marie Bountrogianni (Hamilton Mountain): I'd ask the members of the House to agree to send this bill to general government committee.

The Acting Speaker: Shall the bill be sent to general government? Agreed.

CARE HOMES ACT, 2000
LOI DE 2000
SUR LES MAISONS DE SOINS

The Acting Speaker (Mr Michael A. Brown): Call in the members for the vote on second reading of Bill 53; it will be a five-minute bell.

The division bells rang from 1159 to 1204.

The Acting Speaker: Mrs McLeod has moved second reading of Bill 53. All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Bartolucci, Rick

Colle, Mike
Di Cocco, Caroline

McLeod, Lyn
McMeekin, Ted

Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Christopherson, David
Cleary, John C.

Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Kennedy, Gerard
Kwinter, Monte
Lalonde, Jean-Marc

Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Ruprecht, Tony
Smitherman, George

The Acting Speaker: All those opposed will please stand and remain standing until your name is called.

Nays

Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Coburn, Brian
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie
Hastings, John

Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.

Palladini, Al
Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Wetlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 26; the nays are 47.

The Acting Speaker: I declare the motion lost.

All business relating to private members is now completed. The House will adjourn and return at 1:30 pm.

The House recessed from 1208 to 1330.

MEMBERS' STATEMENTS

JOURNÉE MONDIALE DES ENSEIGNANTS

M^{me} Claudette Boyer (Ottawa-Vanier): Il y a deux semaines, j'ai accepté le défi de notre chef, Dalton McGuinty, demandant à chaque membre de l'Assemblée législative de passer une journée entière dans une école de notre comté. À mon grand étonnement, j'ai affronté des classes nombreuses et un manque de ressources essentielles, surtout pour les jeunes avec des besoins spéciaux.

Par contre, ce qui m'a touché le plus, c'est la passion avec laquelle nos enseignantes et nos enseignants accomplissent leur travail. Le gouvernement Harris tente de faire croire par ses annonces partisans que le travail des enseignants et des enseignantes se limite au temps passé en salle de classe. Erreur. Une enquête menée pour le compte de l'association des enseignantes et des enseignants de l'Ontario dévoile que les enseignantes et les enseignants consacrent, en moyenne, 51 heures par semaine à l'exercice de leur profession, soit l'équivalent de 51 semaines de 40 heures par année.

Nous avons d'excellentes enseignantes et enseignants. On se doit de reconnaître leur comportement professionnel, leur habileté d'évoluer et leur capacité

d'innover. On se doit de les remercier aussi pour leur dévouement absolu et les remercier de partager avec nos élèves leur don de talent d'enseignant.

Nos enseignantes et nos enseignants n'ont pas besoin d'un gouvernement qui leur rend la vie dure. Ils n'ont pas besoin d'un gouvernement qui les surveille comme s'ils étaient des incompetents. En cette journée mondiale des enseignants et des enseignantes, je vous offre, au nom de mes collègues, mes vœux les plus sincères. Salut les professionnels.

POVERTY

Mr Tony Martin (Sault Ste Marie): I want to take this opportunity today to wish everybody here and across the province a happy Thanksgiving. It's Thanksgiving weekend coming up. They tell me that we may have some snow. For some that will be a happy occasion; for others it won't be so happy.

I also remind people, as I'm sure you remind those around your table when you gather as family and friends to celebrate, whether it's Thanksgiving or Christmas or Easter or a birthday or some other occasion, to be mindful of those in our communities who don't have what we have, who are living in poverty. The snow, if it comes, will make it doubly difficult for those folks this particular weekend.

It's actually quite alarming, and indeed some would say scandalous, in a province that has so much, where there is so much wealth and wealth is being generated in such a rapid fashion each day that goes by, that we have so many among us who don't have the basic necessities of life at a level that makes them feel comfortable, makes them feel safe, and gives them a dignity that I think accrues with their humanity.

I suggest as well that people take the opportunity to contribute to those organizations in your community that are gathering food and other stuff this weekend for the poor. You might also consider giving that cheque that you're getting from the government, or at least a portion of it, to some organization that is looking after the poor among us on this Thanksgiving weekend.

LONDON CHAMBER OF COMMERCE

Mr Bob Wood (London West): I rise today to ask the House to recognize the contribution to our province of the members of the London Chamber of Commerce, some of whom are visiting with us today.

The London Chamber of Commerce has been active in the business community of London since 1857. Through a well-developed committee network, members volunteer their expertise to the chamber, which in turn uses that talent to develop social, political and economic policies that enhance the quality of life in London.

Their vision is to be recognized as London's leading business organization, providing maximum value to its membership by recognizing and encouraging the private sector's role as a driving force in our economy. The

chamber envisages an environment where governments work in partnership with business to improve our quality of life and provide an environment for economic growth where public and private sectors share the same goals for a clean, safe and healthy community while striving to improve London's competitiveness nationally and around the globe. The London Chamber of Commerce has a proud history of accomplishments in London.

I ask that all members of the House join with me in welcoming a delegation of the London Chamber of Commerce to the Ontario Legislature.

PIERRE ELLIOT TRUDEAU

Mr George Smitherman (Toronto Centre-Rosedale): I want to stand today and pay my own personal tribute in this House to the recently deceased Prime Minister of Canada, Pierre Elliot Trudeau. I was not able to be in the House for the official tribute earlier this week because, with friends, I went to Montreal and paid respects to Mr Trudeau there, both by walking past the casket at Montreal city hall and also at the ceremony the next day.

Pierre Trudeau had an extraordinary influence on me as a budding politician; he sparked my interest in politics. I believe that the riding I represent, Toronto Centre-Rosedale, which most people recognize as a place of extraordinary diversity, is in fact a living monument to the ideals and values that Pierre Trudeau helped to bring to this country, the work that he shaped to move forward with a view that is compassionate and tolerant toward others and to work hard to have a just society where the economic opportunities for all were seen as something important and a goal for government to pursue in terms of trying to assist those people.

Yesterday the federal government moved to rename a mountain in honour of Pierre Elliot Trudeau. I believe that the Ontario government should be considering some similar recognition for this extraordinary Canadian, the most extraordinary Canadian of our generation.

Here in the city of Toronto a debate is already begun about how to appropriately recognize the important role that Pierre Trudeau played in the lives of Canadians and Torontonians. Whether they rename Queen's Quay, or they name the new Yonge Dundas Square in his honour, or perhaps the suggestion that they rename University Avenue, which would be fitting given that it is also home to a park, G7 Park. Pierre Trudeau put us on that national stage and I would encourage the Ontario government to play a role in recognizing that.

WORLD TEACHERS' DAY

Mr R. Gary Stewart (Peterborough): I rise today to offer our government's support to Ontario's teachers during World Teachers' Day. We all recognize that teaching is a challenging profession. Teachers ensure that our young people are getting the best education possible

and that students develop the skills and knowledge they need to be successful.

We are fortunate that in Ontario we have many excellent teachers who motivate and challenge our students on a daily basis. We all know what a difference a good teacher can make. Every one of us can remember certain teachers who inspired us to see the true meaning of a particular novel or poem or to understand the significance of historical events.

Teachers help our young people understand the different regions that make up this great country. They help us understand the other parts of the world and the galaxy beyond. Some teachers take on the exceptional task of actually helping us understand algebra.

Our government will continue to work to provide resources and support to our teachers so that they may continue the excellent work they are doing in schools throughout this province.

I'd also like today to welcome Mr Roger Régimbal, who is in the gallery and who is the new president of the Ontario Teachers' Federation. Welcome, sir.

CHILD POVERTY

Mr Gerry Phillips (Scarborough-Agincourt): Today the Ontario Federation of Indian Friendship Centres released a report entitled *Urban Aboriginal Child Poverty*. It is a report that reminds us of something about which we should all feel a collective shame. Thousands and thousands of young people, young children, live in poverty and every day go hungry. Today may be an appropriate day for the friendship centres to release the report as we all head home to celebrate Thanksgiving.

The \$200 tax rebate cheques I gather will be mailed out. I listened on the radio today to how people plan to spend it. One person said, "I'm going out to shop for shoes, lots and lots of shoes." Another said, "I'm going to go down to Florida on this." But at the same time, thousands of young children have nothing to eat.

All of us should read this report. There are many quotations in it but one of many that caught my eye was, "I am out of food right now. I am out of food. I have no bread. I have no milk. I don't even have any cereal."

Two years ago my leader, Dalton McGuinty, did a major study called *First Steps*. We found the same problem then and proposed a number of solutions.

I hope the government will take this opportunity to read this report, read the thoughtful recommendations in this report, and do some concrete action to solve the problem of which we all must be ashamed.

1340

OKTOBERFEST

Mr Wayne Wettlaufer (Kitchener Centre): Nearly 200 years ago, the crown prince of Bavaria, who later became King Ludwig I, married his beautiful Princess Theresa. Horse races were held as the finale of five days

of wedding festivities on October 17, 1810. This was the unlikely beginning of Oktoberfest.

In 1969, the founding fathers of K-W Oktoberfest saw this Bavarian tradition celebrated at the famous Concordia Club in Kitchener. Since 1969, K-W Oktoberfest has developed its own traditions, becoming the largest Bavarian festival in North America, with the greatest Thanksgiving Day parade in Canada. Hundreds of thousands of visitors from all over the world celebrate annually in over 20 festhallen and by attending one or more of our 45 family and cultural events.

Through the celebration of this spirit of *gemütlichkeit*, the local economy is stimulated and over 70 charities and not-for-profit organizations raise funds to support the high quality of life enjoyed in Kitchener-Waterloo.

Three new attractions have been added to Oktoberfest celebrations this year. One exciting new addition is Ontario Timeship 2000, a high-tech, interactive, intriguing and highly educational exhibition about the mysteries of time. A second attraction is Millennium Thumbprints, which will result in a bronze monument constructed of 2,000 thumbprints, 1,000 of those from Kitchener residents and 1,000 from residents of Berlin, Germany, as a symbol of the linking of our cultures.

Thirdly, for the first time, Oktoberfest will be the setting for the first day of official recognition of German Pioneers Day, which will be celebrated on the first day after Thanksgiving, Tuesday October 10.

Many of my colleagues in this place will join me in this year's Oktoberfest celebrations. *Gemütlichkeit!*

WORLD TEACHERS' DAY

Mr Gerard Kennedy (Parkdale-High Park): It is with great pleasure that I rise today on the occasion of World Teachers' Day to be able, in this particular jurisdiction, to draw attention and bring praise and credit to the teaching profession in this province—in this jurisdiction, a jurisdiction that is determined to use teachers as a source of propaganda rather than nourishment and support for the children of this province.

Those children are our children. They're children that we want to grow into good citizens. The only opportunity we have as a society to be involved in that essentially private development is through our schools and by our teachers.

The teaching profession that I have encountered as education critic over the last year is a profession that is dedicated to sacrificing themselves, their personal health and their personal wealth to see the development of that citizenship occur. They do so under tremendous situations of duress.

I would like to dedicate and introduce the names of some of the teachers I've seen: Rose and Stephanie and Mel, teachers at Humberside Collegiate, who were there at 6:30 in the morning, starting at 7:45, doing their own photocopying; who spend two to three hours at night preparing their own curriculum; making up for, covering up for, accommodating the deficiencies that are often there from a government that has cut an average of \$911

per student away from the resources they had to deal with.

If we have a hope for our future, for the future of children in this province receiving a good education, it's because that education rests in good hands: the professionalism, the dedication and the caring of Ontario's teachers.

ONTARIO AGRICULTURE WEEK

Mrs Julia Munro (York North): I rise today to honour our agricultural community, particularly the farmers in my riding of York North. Since 1998, we have celebrated Ontario Agriculture Week to honour our agricultural community. All Ontarians have the opportunity this week to say thank you and to celebrate the contributions of the province's farmers, farm families and all of those individuals who work in the agri-food industry.

In August I attended the York plowing match in Belhaven. It was a pleasure to see how many young people have shown an interest in the 4H plowing club. It allowed grandparents, sons, daughters and grandchildren to participate together in the match. Farming has a future in York North.

The farmers in my riding of York North are an integral part of the community. These men and women are dedicated to making this province a better place to live. Farmers like Don Chapman and John Holtrope, Jack Ruptke in the Holland Marsh, Peter VanderKooj in the Keswick Marsh—all of these people contribute to the well-being. There are many farm families in my riding, like Alvin Brooks, Adrian Van Lutk, and my neighbours the Thompsons, the Lockies, the Johnsons and the Winches.

Our farmers give us so much. I am proud to be able to say thank you to farmers of York North and Ontario.

Mr Gerard Kennedy (Parkdale-High Park): On a point of order, Mr Speaker: I seek unanimous consent for a full and fulsome tribute to be made under World Teachers' Day to the members of this House and to the public. We would invite the Minister of Education and all the members of this House—

The Speaker (Hon Gary Carr): Is there unanimous consent? I'm afraid I heard some noes.

MINISTERIAL STATEMENTS

The Speaker (Hon Gary Carr): On Thursday, September 28, 2000, the member for Windsor-St Clair rose on a point of order regarding the Attorney General's statement. The member contended that the statement made no reference to provincial policy and was not in compliance with the terms of standing order 35(a). The government House leader, Mr Sterling, the member for Hamilton West, and the Attorney General also made submissions.

Standing order 35(a) reads as follows: "A minister of the crown may make a short factual statement relating to

government policy, ministry action or other similar matters of which the House should be informed."

The wording of this standing order allows ministers some degree of latitude in making ministerial statements in that they need not be confined, as the member for Windsor-St. Clair suggested, to "government policy." In fact, there are several examples of ministerial statements informing the House.

However, in reviewing the precedents, I find that there are also certain limits that must be placed on the latitude extended to ministerial statements. For example, on October 23, 1979, when a minister was using ministerial statements as a vehicle for announcing an initiative of a municipal government, the Speaker had this to say: "... it has something to do with another level of government, I think it would be inappropriate to classify it as a ministerial statement." And further, "... it will not be condoned unless the statement can be specifically tied in with government policy."

I have read the statement that was made by the Attorney General on September 28 and I must say I am concerned that it is more a commentary on the activities of another level of government than a statement of important facts relating to his ministry of which the House should be informed. I do not believe that this was the intended purpose of this particular proceeding of the House.

I therefore caution all ministers that the routine proceedings entitled "statements by the ministry" must inform the House of government policy, ministry action or other similar matters, and not be used simply as an opportunity to engage in debate on the activities of another level of government.

In closing, let me say that I am increasingly troubled by attempts to use the proceedings of this House in a manner that is inconsistent with their original intent. I encourage all members to consider and respect the traditions that have served us well in this place.

I want to thank the member for Windsor-St Clair for that point of order.

INTRODUCTION OF BILLS

HIGHWAY TRAFFIC AMENDMENT ACT (DRIVING WHILE SUSPENDED), 2000

LOI DE 2000 MODIFIANT LE CODE DE LA ROUTE (CONDUITE PENDANT UNE SUSPENSION)

Mr Bartolucci moved first reading of the following bill:

Bill 122, An Act to amend the Highway Traffic Act to increase the penalties for driving with a suspended licence / Projet de loi 122, Loi modifiant le Code de la route pour accroître les peines prévues pour conduite pendant une suspension de permis.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

Mr Rick Bartolucci (Sudbury): Speaker, thank you very much for your ruling.

Several sections of the Highway Traffic Act are amended. Pertinent information would be that upon the first conviction there would be a suspension for one year; upon the first subsequent conviction, a suspension for 10 years; and upon the second subsequent conviction, a permanent ban from driving.

There is a further amendment with regard to the seizure of vehicles, that the judge or the court, as the case may be, make one of the following orders:

If the court or judge is satisfied that the person convicted owned the vehicle used in the commission of the offence at the time of the offence, and still owns the vehicle, the court or judge shall order that the vehicle is seized and sold.

If the court or judge does not make an order under paragraph 1, which was just read, the court or judge shall impose a fine on the person convicted equal to the value of the vehicle used in the commission of that offence, as that value may be determined by reliable reference materials commonly used to estimate the value of vehicles.

And further, that the use of these funds, the proceeds from the realized sale of the vehicle under paragraph 1 of subsection (1), and a fine imposed under paragraph 2 of subsection (1), may be used to finance programs that, in the opinion of the Attorney General, promotes safe driving, such as RIDE, MADD or SADD.

1350

WORLD TEACHERS' DAY ACT, 2000

LOI DE 2000

SUR LA JOURNÉE MONDIALE DES ENSEIGNANTS

Mr Marchese moved first reading of the following bill:

Bill 123, An Act to proclaim World Teachers' Day in Ontario / Projet de loi 123, Loi proclamant la Journée mondiale des enseignants en Ontario.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Rosario Marchese (Trinity-Spadina): Every child in Ontario has a right to a quality education. Our province's teachers play a central role in ensuring that children can enjoy that right. For their enormous contribution to the future of our children, Ontario recognizes, or ought to recognize, and celebrate the work of teachers.

At the 44th session of the International Conference on Education in Geneva, the United Nations declared October 5 as World Teachers' Day. Ontario wishes to adopt this declaration to celebrate World Teachers' Day every year.

On Tuesday, I asked this House for unanimous consent to declare October 5 as World Teachers' Day. Today, our House leader requested from the Tories that they permit us to declare October 5 as World Teachers' Day. In spite of that refusal, I hope that they will, in time, support this bill.

ORAL QUESTIONS

WASTE MANAGEMENT

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the minister responsible for children's issues. My understanding is that she is in fact on her way, so I will proceed with my other question, to the Minister of the Environment.

Minister, we are approaching the 11th hour when it comes to the city of Toronto making their final decision with respect to the Adams mine dump.

Parents living in the Kirkland Lake community are afraid that the water will become poisoned and so, in turn, will their children. Farmers fear that their livestock will get sick and that then they will lose their farms, which will become worthless. Business people living in the community are afraid of the Walkerton effect; they're afraid that something so terrible will happen that nobody will want to come into their community and do business with them.

People are afraid, Minister, because they have no confidence in the environmental assessment that was held. They feel that it was far too limited. Minister, you must order a new, full, inclusive, environmental assessment in order to defuse the situation. Will you do that?

Hon Dan Newman (Minister of the Environment): I want to remind the Leader of the Opposition that a full environmental assessment took place on this project. There were hearings held under the Environmental Assessment Board that lasted some six months. The board looked at the hydraulic leachate collection and containment system. The board hearings lasted six months. The board actually attached 22 conditions to that plan. A certificate of approval was issued, with a further technical analysis done on the project. The certificate carried with it some 66 conditions that must be applied to that project. We've done all that because the job and the role of the Ministry of the Environment is to ensure that the environment is protected. We have done that, and I stand by the EA process that has taken place.

Mr McGuinty: If the minister wants to stand by the EA process, he could at least be accurate with respect to the length of the hearing. It was not six months; it was 15 days. In comparison, other environmental assessments for siting landfills have been in the neighbourhood of 100 days. Your EA was 15 days. Traditionally in Ontario they have been 100 days. So you cannot stand in your place today and tell us this was a full and complete environmental assessment.

The rail line up there is being blocked today. People are settling in for the long haul. Here are some of these people: Fran Nychuk, a nurse and the mother of two children; Joseph Gold, a professor at Waterloo for 24 years; Norm McDonald, a retired mine worker at the Adams mine; Charlie Angus, a reporter and magazine publisher. These are not wild-eyed radicals. These are people who are afraid for their future and the future of their children and their health.

You have an opportunity now to defuse this bomb or to light a match. Which are you going to do? I'm asking you to defuse this bomb and hold a full and complete environmental assessment.

Hon Mr Newman: The environmental assessment system had problems under previous governments. They both have to admit that, because both their environment ministers are on record that we had to see changes to the environmental assessment system.

I want to point out to the Leader of the Opposition what the Liberals said they were going to do in the 1995 red book: "A Liberal government will review the environmental assessment process with various stakeholders and develop a plan to streamline it, with emphasis on speeding up the process; outlining clear requirements, standards, and procedures before public hearings begin; restructuring the Ministry of the Environment and Energy environmental assessment branch; and reforming the public hearing phase of the process."

We have the Liberals here today calling for the environmental assessment system to be changed. It has been changed—

The Speaker (Hon Gary Carr): Thank you. Final supplementary?

Mr McGuinty: The minister is absolutely right, in that we did commit to working with the stakeholders in this matter, and important stakeholders in all this happen to be the people in whose community you are going to put this dump. They are telling us they don't want it. They're telling us they are afraid of the consequences. They're telling us they are afraid their children might get sick or worse.

Minister, you now have it in your hands to defuse this situation. There are people up there who are very much committed to ensuring that the garbage never gets to the dump. They are absolutely committed and dedicated to preserving their natural environment and to looking after he health and well-being of their children. I am now imploring you, I am asking you on behalf of that community to do the right thing. I'm asking you to hold a full, complete and comprehensive environmental assessment so that we can ensure we've left no stone unturned and that we've done everything to preserve not only the integrity of the natural environment but the health and well-being of those people in that community.

Hon Mr Newman: The facts of the Adams mine case are very clear. The Adams mine proposal has been thoroughly reviewed by a team of professional scientists, including geologists, biologists, environmental engineers and hydrogeologists from several provincial ministries

and also from federal ministries, including the federal environment ministry, fisheries and mines and native affairs. We've also consulted with the government of Quebec to ensure that Lake Timiskaming would not be harmed. A full environmental assessment was held on this project.

1400

CHILD POVERTY

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the minister responsible for children. Earlier, in fact just a short while ago, your Premier delivered a very eloquent and compelling speech to the business community, and I want to go on record as fully supporting the message he delivered just a few hours ago.

My problem isn't with the message; it's with the messenger. He lacks any credibility when it comes to championing the cause of children in Ontario. This message came from the man who slashed millions from our children's aid societies, from the Premier who cut funding to our women's shelters, from the Premier who took 21% of the income away from parents of Ontario's poorest children.

Minister, you are now in the sixth year of your government. In the last 10 years the number of Ontario children living in poverty has skyrocketed by 118%. That's twice the rate of growth in the rest of the country. How can you defend this kind of failure when it comes to our children?

Hon Margaret Marland (Minister without Portfolio [Children]): I apologize to the leader of the official opposition. I was where the Premier was making the speech, and that is why I was a few minutes late. I appreciate very much the comments of the leader of the official opposition in recognizing that this speech, which was just delivered by the Premier of Ontario to the Toronto Board of Trade, was in fact, to use the leader of the official opposition's words, eloquent and compelling. It was even more than that, because it's a commitment to the future of the children of this province, a commitment which this Premier has led the way on since he decided our children were going to be a priority for this government.

This Premier established the first-ever office of the minister responsible for children. This Premier decided to commission a study on the early years, a study that—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary?

Mr McGuinty: Minister, let's focus on the facts for a minute. Let's talk about the real state of the province when it comes to our children. Today in Sudbury there are 2,310 children whose parents earn less than \$10,000 a year. In London, the number of children using food banks has increased 20% over the last year. There are 2,608 kids in London today who are relying on food banks. I'm ashamed to say that in my own home town of Ottawa, there are 43,315 children growing up in poverty. Right here in Toronto today, we know there are over 10,000

boys and girls from our First Nations communities who are growing up in poverty.

That is the state of affairs in Ontario today when it comes to our children. So I ask you, on behalf of children, who have no time for those speeches and who insist on action, why do you continue to fail our children?

Hon Mrs Marland: When the Early Years Study, led by Dr Fraser Mustard and the Honourable Margaret McCain, was presented to the government, the anticipation and the way the report was received by everyone in this province who cares and works with children was amazing. The most exciting thing about the Early Years Study is that this government has embraced the recommendations of that study and step by step we are fulfilling our commitment by the establishment of the demonstration site into the early years. For those members opposite who have read the Early Years Study, and I certainly hope that you have, you will know that when we get it right in the early years, then we will be able to remediate the rest of the years of that child's life. Our commitment is ongoing. We have not only established the demonstration—

The Speaker: I'm afraid the minister's time is up.

Mr McGuinty: Minister, children can't wait. They've been waiting for six years. They can't eat your words, no matter how eloquent they might be, and there is nothing more compelling and there is nothing more eloquent than action and a commitment of dollars—and there has been none. I looked through this speech today; I perused it very, very carefully to see if there was going to be any new commitment for new funding for new programs to help our children today in Ontario. Not a single penny was committed. Nothing. These are empty words delivered by a Premier who lacks any credibility when it comes to advancing the cause of children growing up at risk in Ontario.

Minister, if you want to do something for children—you can take this to the Premier—then put some money into housing for our children. Put some money into special education for our children. Put some money into mental health assistance for our children. Put some money into women's shelters for children whose mothers are being assaulted. Those are specific kinds of things that you can do that will help our children. In the meantime I ask you, on their behalf, why do you continue to fail them?

Hon Mrs Marland: What this government has done for children in this province has never been done before. We actually have initiated a number of new powerful programs that are working. For the first time in this province, every newborn is screened at birth for being at risk. That's 150,000 children who participate in our Healthy Babies, Healthy Children program. The fact that we initiated and introduced to the children of this province the opportunity for preschool speech and language is very, very critical for those children, for when they start school in terms of their ability to learn, their readiness to learn. Those two programs—

Interjection.

Hon Mrs Marland: Talk to the members of the families, I would suggest to the member who's shouting across the floor, whose children are benefiting—

Mr George Smitherman (Toronto Centre-Rosedale): Come to Regent Park.

The Speaker: Last warning for the member for Toronto Centre-Rosedale. Minister, your time is almost up; 10 seconds.

Hon Mrs Marland: This Premier has led the area of improving the lives and the future of the children, I would suggest not only of Ontario; this Premier took the future of Ontario's children—

The Speaker: Order. I'm afraid the minister's time is up.

WASTE MANAGEMENT INC

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment, are you aware that Waste Management Inc, the company poised to take over and run the Adams mine garbage dump, is being investigated by Canada's competition tribunal? Canada's commissioner of competition says that WMI already holds an unacceptable monopoly over waste management in the GTA. What's going to happen when WMI takes over the Adams mine? It is going to be disallowed. Minister, this reeks. Why are you eliminating competition in the waste management business in Ontario? Is it payback time for the \$74,000-plus campaign donation that your party got from WMI in the last election?

Hon Dan Newman (Minister of the Environment): That was quite a creative question, but I can tell the member opposite that the Ministry of the Environment is indeed committed to maintaining and enforcing the environmental laws of this province. Our enforcement activities are consistent with our priorities of protecting the natural environment and human health. That's what I can say to the honourable member.

1410

Ms Churley: Minister, you are such a joke. It is ridiculous listening to you answer a very serious question on that level. You don't even understand what I'm talking about over here. Don't you think you've been there long enough now to get with it? Let me clarify for you. Canada's competition tribunal says this company should dispose of landfill sites in order to maintain a minimum level of competition in the industry. If there is concern about WMI's monopoly now, what will the tribunal's position be when WMI takes over the Adams mine site and locks into a contract for more than 20 tonnes of Toronto's garbage?

Minister, I want to ask you a direct question: what advice have your senior staff given you about the implications of the competition tribunal probe into WMI's unfair business practices? I see you just got a note to help you out.

Hon Mr Newman: First off, the note was to the Minister of Northern Development and Mines.

With respect to the member's concern with the Adams mine, there was a full environmental assessment done. There were Environmental Assessment Board hearings, there was a judicial review, there was an appeal of that judicial review, there were independent peer reviews, and if she has any questions for the tribunal, I would encourage her to ask those questions of the tribunal.

Ms Churley: Minister, you have a responsibility to protect the environment in this province. Of all people in that government, you be aware of the history and what's happening with this company that's about to take over this mine. There is so much uncertainty hanging over this plan, it is hard to believe that Toronto might actually sign a contract today with your blessing. The competition tribunal has yet to issue its ruling. The proponents don't have all the permits required to implement their water contamination plan, and if your ministry and you had any integrity whatsoever, you wouldn't issue those permits.

The Adams mine is wrong, wrong, wrong, and it is doomed to fail, because I can tell you now, if the Competition Bureau doesn't stop it, and if your ministry and your government don't stop it, the Timiskaming First Nations and others, including myself and this party, will.

Minister, let me ask you: which is worse, your ineptness or the that of the federal Liberal Minister of the Environment, who like you has not shown any leadership here? They've refused to take action to call for a full environmental assessment on this. There's—

The Speaker (Hon Gary Carr): The member's time is up.

Hon Mr Newman: Peaceful protest is a right enjoyed by each and every Canadian, and I think the member opposite is being irresponsible with the rhetoric that she's bringing forward to this House today. As I've said, this is an emotional issue. The member opposite is making matters worse with her inflammatory language. I'm not going to suggest that she's inciting violence, but I think others might. Should this matter become one of public safety, I'm sure that issue will be brought forward, but I'm hopeful the demonstration that is there today will remain peaceful, and I again ask the member opposite for her co-operation in trying to help with this situation rather than to use this for her own political gain.

EDUCATION

Mr Rosario Marchese (Trinity-Spadina): I have a question for the Minister of Education. Minister, People for Education eloquently and graphically asked you today to cut the crap by returning your \$2-million—

The Speaker (Hon Gary Carr): Order. The member take his seat. I would appreciate it if the members wouldn't use language like that. Others may, but this is a House where we're trying to use some language—I'd appreciate it if the member would watch his language. The member for Trinity-Spadina.

Interjections.

The Speaker: The member take his seat. Stop the clock. Order. We've had our little laugh about it now. It's a serious question. The member for Trinity-Spadina.

Mr Marchese: They did come with a barrel and a compost heap, returning this \$2-million propaganda. There was reference to that other word that you refuse to let me say, and I think it's quite graphic and quite accurate.

They say in their document, "The information in the government pamphlet in no way matches what parents see every day in their children's schools."

You can easily refute what I have to say, but can you so easily dismiss what parents have to say?

Hon Janet Ecker (Minister of Education): I guess I would have great difficulty agreeing with a group that thinks celebrating the excellence of our teachers should be symbolized by dumping bovine excrement on the steps of Queen's Park. I really question their commitment to teachers and education.

Mr Marchese: They were a little more eloquent than that. There was no bovine excrement, which is the equivalent of cutting the crap. But there was neither of those two things. They came with a barrel, brought the \$2-million propaganda and said it doesn't coincide with the cuts in education. In other words, somebody is dissimulating around here, and it's not the parents. The parents are the true experts of the system, not you or I, and you can't continue to dismiss them.

M^{me} la ministre, I have faith that sooner or later you will be made accountable, and sooner or later it will be revealed by the very people you have just dismissed today that your true intention of keeping your promise about creating a crisis in education is your true agenda. They will reveal it, hold you accountable and vote you out of office.

Hon Mrs Ecker: I make a big distinction between individuals who think using cow manure to express their views is saying something positive about teachers and all those hundreds of thousands of parents whose involvement in our education system helps make it better. It's that partnership between the parents and a teacher that makes quality education in this province. That is why, on World Teachers' Day, I think it's appropriate for us to be talking about the quality and contributions teachers make to the system, the thousands of excellent teachers out there who on a daily basis make a difference to the citizens of this province and to the parents who help them in their jobs. Those parents who are putting their efforts into education, who care about public education in this province, who are making sure their voices are heard with teachers in public education in this province are the parents whom I think it is appropriate for us to be communicating with.

Mr Marchese: On a point of order, Mr Speaker: Given what the minister has just said on the praise of teachers, will we get unanimous consent today to pass my bill—

Interjections.

The Speaker: You're asking for unanimous consent for what?

Mr Marchese: To pass the bill I introduced today—

Interjections.

The Speaker: New question.

CHILDREN WITH SPECIAL NEEDS

Mr Gerard Kennedy (Parkdale-High Park): My question is to the Minister of Education. Earlier today, your Premier said to the businessmen of the chamber of commerce that his government would leave no children behind, would let no person fall between the cracks. Minister, today we find that the assessment process for the most vulnerable children you are responsible for, special needs kids—kids with Tourette's syndrome, with Ashbergers, with mental health issues, with disabilities—is going to cut out some 30% of them. Some 7,000 children aren't being approved by your ministry.

I want you to stand today and guarantee the parents of those kids, who struggle in ways most of us can't even imagine, will stop being pushed around by your government—earlier you said a 12% increase; that was after a 20% cut and after less money for special education. I want you to address the parents of Kevin and Justin, of the kids you have abandoned. You've taken their assistance away. They can't do the most fundamental thing we offer to kids in this province, and that is to learn and develop to their potential. I want you to address them, and tell them you will guarantee to them that they will have assistance next year, that you won't do what your assessment process says it will do, which is take away 30% of the funds and 30% of the—

The Speaker (Hon Gary Carr): The member's time is up.

Hon Janet Ecker (Minister of Education): Not only do we have excellent teachers in this province, but those teachers who specialize in special needs children are perhaps some of the most incredibly dedicated teachers we have in the system. The parents who work so hard with those teachers and work so hard themselves to give their children every benefit deserve our respect and commendation for the work they do.

I would really caution the honourable member yet again, and we've had this discussion many times in estimates. To stand up and say that 30% of our special needs kids are not going to get educational services because of some arbitrary funding mechanism—he is wrong, he knows it, and I really wish he would stop doing this to hard-working parents out there who are fighting hard for their kids, as they should.

1420

Mr Kennedy: I want the minister to guarantee those kids that they won't be like the kids in Ottawa and Toronto and other places who've had their assistance taken away in your Mike Harris Ontario, who've lost their assistance. So, Minister, address the question directly. Your figures say you're going to take out \$174 million, but those teachers you talk about are going to be laid off as they have been in Halton, 114 education assistants laid off.

Minister, you're responsible for them. This is your process, and boards like Ottawa stand to lose as much as 50%. You're causing those teachers to spend 15% of the time filling out your forms, doing your bidding, getting

documentation, instead of teaching these kids. Will you disabuse yourself of this system, will you distance yourself from it, and will you guarantee that those kids will not be subject to any cuts and that they will get at least the same funding they had last year, let alone the money you took away from them before that?

Hon Mrs Ecker: First of all, our figures say no such thing. The accurate figures say that there has been a 12% increase in special needs funding in this province; the third year in a row there has been an increase in special needs funding, thanks to the support and the encouragement of the Minister of Finance.

The other thing I would like to say to the honourable member: as he well knows, formulas that talk about how boards get money are in no way meant to dictate the program decisions that are made by a school board, the teacher, the principal and the parent for those children. That's why we have individual education plans, so that the supports for that child should not depend on some label an accountant puts on them. The supports should depend on what the principal and the teacher and the parent are working out for the individual education plan for that young person. The honourable member well knows that.

TEACHERS

Mrs Julia Munro (York North): My question is for the Minister of Education. As you know, today is World Teachers' Day. This is a day we can take to recognize the importance of educators across the world and here at home in Ontario. I know of many wonderful teachers in my riding. They make learning enjoyable for their students, and their work is truly an asset to the community.

Minister, it is important that we as a government also recognize the important work the teachers do. Can you please tell this House how this government is supporting teachers as they do their jobs?

Hon Janet Ecker (Minister of Education): I'd like to thank my colleague from York North not only for asking this question today but also for her frequent advice to this government with her background as a teacher, another very excellent example of the commitment of our teachers out there.

I would also like to recognize, as my colleague from Peterborough did, Roger Régimbal, who is the new head of the Ontario Teachers' Federation. I'd like to thank the teachers' federation for their work, for example, on such wonderful initiatives as the summer institutes for teachers. One of the wonderful things that has been happening is that every summer we've had literally thousands of teachers participating in training sessions on the new curriculum, on new teaching techniques. It's something the ministry is very encouraged to be funding to work with the teachers' federation. It's one of the great success stories that we have in this province, where teachers are going out of their way to do the best for their kids.

Mrs Munro: I thank the minister for her answer. I'm glad to hear the minister mention the new curriculum in her answer. I am happy that Ontario's students have an opportunity to take part in that new rigorous curriculum.

This government has completed the most comprehensive modernization of the curriculum. It is also important that we support our teachers as this new curriculum is implemented. Minister, can you tell us how this government is doing?

Laughter.

Hon Mrs Ecker: The honourable members across the way may well think that talking about more curriculum supports for teachers is a laughing matter, but in this government we believe it is important and it needs new investment. There's \$370 million there for teacher training throughout the school year. We have things like the courses I mentioned, the curriculum planner and—

Interjections.

Hon Mrs Ecker: Mr Speaker, if you would like to call them to order, I would be quite happy to have you do that. Thank you.

The other thing is that we have taken advantage of the literally thousands of people who want to be new teachers. We are increasing teachers' education spots in faculties of ed by 6,000, because there is an increased number of people who see teaching as a wonderful profession. We are encouraging that. We are taking advantage of that.

I have been in many schools and talked to many teachers—

The Speaker (Hon Gary Carr): The time is up.

MULTICULTURALISM

Mr Tony Ruprecht (Davenport): I have a question to the Minister of Citizenship. Our late Prime Minister, Pierre Elliot Trudeau, left us a lasting legacy by proclaiming as policy the multicultural model of integration for Canadians. In 1971 he followed that up by creating for the first time a minister of multiculturalism. Since you are the Minister of Citizenship for Ontario and responsible for multiculturalism, can you tell the people of Ontario how your view of multiculturalism differs from the vision of our late Prime Minister, or is it the same?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member opposite for the question. Let me say that multiculturalism is a very important part of the fibre and the fabric of the province of Ontario. It's certainly an important fibre and fabric through all of Canada.

There is no question that this province has a wide range of people who come from different countries and different areas, and we of course embrace those people. As people in and outside of the House would know, Ontario takes approximately 53% of the immigrants who come to Canada every year, and we're happy to have

every one of those people come and work in our great country and be proud to be Ontarians.

Mr Ruprecht: Part of the basic fabric and fibre of multiculturalism certainly is to supply services to newcomers, since we need them to be productive citizens as soon as possible. Why would you slash immigrant settlement services, if that's the case. If it's fibre and fabric, and that's what you're looking for, why would you gut English language classes for newcomers? Why would you sit on your hands and watch silently while other ministers cut the heart out of adult education and job training programs? For God's sake, why would you let the Premier take the \$35 million given by the federal government for newcomer services away from you and fold it into general revenue? That doesn't sound like a minister guarding the public trust for multiculturalism. Where was your fibre and fabric then, when you let him \$35 million away from this ministry?

Hon Mrs Johns: Let me say that this government values immigrants in the province of Ontario and the contributions they make to the social and economic life of this province. Ontario has more than 100,000 immigrants who have come to this province in the last 10 years; just over half of the immigrants who come to Canada, as I said earlier.

The ministry funds \$3.9 million in newcomer settlement programs, and that funds 97 community agencies to provide settlement services for new immigrants. We also have cultural interpreters who help newcomers settle. Through our violence against women prevention initiative, the ministry funds those cultural interpreter services. It helps to train cultural interpreters also.

We have hundreds of services for newcomers, and they are government-wide. We have English as a second language, we have the Ministry of Economic Development and Trade helping immigrant entrepreneurs get settled and start their own businesses. We have the Ministry of Training, Colleges and Universities, which works on assessment and training skills to make sure that people get jobs. We care about new immigrants—

The Speaker: I'm afraid the minister's time is up.

1430

TRUCKING INDUSTRY

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Economic Development and Trade. Minister, unfortunately, your talks with truckers and shippers to find a way to help truckers cope with the rising fuel prices have failed. You also know that with this failure to find a resolution there's a very real possibility that a truckers' strike can happen in this province. At the onset of your talks with shippers and truckers, you said, "Our government is prepared to regulate the industry if the industry won't regulate itself." Minister, my question's very simple: when can we expect legislation? When do you plan to re-regulate the industry?

Hon Al Palladini (Minister of Economic Development and Trade): I just would like to say that yes, I did

say that. He's correct on the statement. But I am happy to say that industry has responded in a very positive manner. I believe the working group that we have put together has made some inroads.

This is going to be a very emotional issue. The trucking industry needs to be structurally changed, and that's the reason for the working group. We're not talking about one sole issue. There are various issues that need to be looked at, and this is the responsibility of Brock Smith, who's the independent chair of the working group. That will help talks with the owner-operators, with the shippers, with the carriers, to see how we can make sure that our trucking industry in Ontario is going to be viable and strong.

Mr Bisson: Minister, I accept and I agree, as everybody else does, that the issue that faces truckers is more than just gas prices. De-regulation has had a very negative effect on truckers themselves, maybe not necessarily shippers. You made a statement. You said that if these talks broke down, "Our government is prepared to regulate the industry if the industry won't regulate itself," in response to the discussions that you had with the industry. So I want to know, is this is a question of a promise made and a promise not kept, or are you going to come in and bring legislation to fix this problem the industry faces?

Hon Mr Palladini: These are challenges that we're faced with every day. This is a situation we're faced with that we know is going to be very emotional with many people in the industry. We understand and we relate to them. We also understand the hardships they're going through because we're going through the same hardships when we go to the pump: fuel prices have escalated. But the problems that exist today are not just related to fuel prices.

I am happy to say that industry has responded, at least to coming forward and being interested in looking at and listening to the issues that are at hand. We need to give that group at least the opportunity to facilitate those meetings and see the results. I'm optimistic because there will be cooler heads. I know this is an emotional issue, but I do have faith in our people that we will resolve this issue.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Citizenship, Culture and Recreation. Minister, I want to return to the matter of your betrayal of Ontario's disabled community, and particularly to the secret document that you had submitted to cabinet on the subject of a new Ontarians with Disabilities Act. In particular, I want to draw your attention to those things that you considered putting into law but which you rejected.

It says here that you considered extending the law to eliminate barriers in our hospitals and our schools, but you rejected that.

It says that you considered merely encouraging the private sector to improve access—not compelling, merely encouraging—but you rejected that.

It said that you considered creating a separate agency to help remove barriers for people in Ontario who have disabilities, and you rejected that.

Minister, all the very things that are absolutely essential to a real Ontarians with Disabilities Act you rejected. I ask you again, why have you betrayed the community in Ontario that has disabilities?

Interjections.

Mr Steve Peters (Elgin-Middlesex-London): You're the biggest barrier in this province.

The Speaker (Hon Gary Carr): The member take a seat. Order. Last warning to the member for Elgin-Middlesex-London. You can't shout out like that. Minister.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me say first off that this government is committed to working with Ontarians to make Ontario the best place to work, live and raise their families. We're committed to having that economic strength and to making sure we help people with disabilities to have the same lives as other Ontarians.

We promised legislation; we're moving forward with that legislation. We said we would move forward, within the goalposts of the Common Sense Revolution, to improve the lives of persons with disabilities across this wonderful province. We said we would put forward legislation by 2001, and we intend to do that. I promised yesterday that the legislation would be fair and reasonable, not only for people with disabilities but for people who are in the position of accommodating those needs. We intend to keep that promise.

The Speaker: Supplementary?

Mr McGuinty: Minister, the jig is up. You have been found out. People now know your real intentions. I produced your secret recommendations to cabinet. You have no intention whatsoever of standing up for Ontarians with disabilities.

Mike Harris promised to enact an Ontarians with Disabilities Act during his first term in office, and he broke that promise. Last term you personally voted for a resolution on the 11 principles that you promised your legislation would include. In particular, you promised that your new act would apply to hospitals and schools. You've broken that promise. You promised it would include a new agency to help remove barriers. You've broken that promise as well. You promised to eliminate barriers in the private sector. You've broken that promise as well.

Minister, you are no longer of any value or any use to Ontarians with disabilities. Do the honourable thing: step aside and resign.

Interjections.

The Speaker: Member take his seat. Stop the clock. I have to name the member for Elgin-Middlesex-London.

and ask him to leave. We can't have a situation like that. I name him and ask him to withdraw from the chamber.

Mr Peters: Speaker, I will not withdraw that statement; on behalf of 1.5 million—

The Speaker: Member take his seat.

Mr Peters was escorted from the chamber.

The Speaker: Sorry for the interruption. Minister?

Hon Mrs Johns: Thank you very much, Mr Speaker.

Let me be very clear about the promises that were made by Mike Harris and this government. Mike Harris promised in 1995 that he would put forward a bill that related to Ontarians with disabilities, and he did that in 1997. At that time the Ontario disability community asked that he pull that back and have another look at it, and we are doing that. We promised in the throne speech that we would come forward with an action plan in this session, and we stand by that commitment.

We also promised we would have legislation by November 2001, and we live by that commitment. The legislation will be fair and reasonable. The action plan will be fair and reasonable. We intend to improve the lives of people with disabilities across the province.

The Speaker: I'm afraid the minister's time is up.

PLUM POX VIRUS

Mr Bart Maves (Niagara Falls): My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, the plum pox virus has affected many peach trees in the Niagara Peninsula and other areas of southwestern Ontario. Many of those farmers with affected trees live in my riding and are becoming concerned about reports of the spread of the virus. The people of my area are also concerned about the future of a very important industry and want to know what is being done to deal with plum pox.

Can you give the House an update regarding plum pox and tell us what is being done to deal with the virus?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to assure my colleague from Niagara Falls and the farmers of his riding and across the province that our government will stand with our commitments to help them through their times of income loss.

Ontario is committed to providing lost income support to growers affected by plum pox, although it is our view that compensation for removal and eradication of the trees is a responsibility of the federal government, as that issue is directed by federal legislation.

To give an independent appraisal of the cost involved, we and the federal government have contacted the George Morris Centre in Guelph to study and quantify the problem and put a dollar amount on the removal of trees and the income loss. When this information becomes available, we will be in a better position to further address this situation. We will continue to stand behind the farmers until the scope and extent of the problem becomes known.

1440

Mr Maves: As many members on this side of the House realize, there are 101 or so federal Liberals from Ontario who have a track record of forgetting they are actually from Ontario. They've abandoned the people of Ontario on health care dollars and on a variety of other issues. I fear that the federal Liberal members in Ottawa will continue to abandon Ontario citizens and Ontario farmers.

What kind of response are you receiving from the federal government on their responsibilities with the plum pox virus?

Hon Mr Hardeman: We have been working very closely with the federal government on this issue. They have at this point agreed—and I hope they continue to—that they are responsible for the eradication and replacement of the trees and that they will be there to do that. They've also agreed to work with us and the producers in Ontario to cover the income loss as a farm safety net program, which of course will be funded 60% by the federal government and 40% by the provincial government.

My ministry has also been working very closely with the farmers on this issue. We, along with the federal government and stakeholders, are working to implement the Canadian Food Inspection Agency strategy to contain the sites where plum pox has been found and eradicate the affected trees in order to stop the spread of this virus.

As I said, a national survey is being done by the George Morris Centre, and when we get the results of that we will be looking forward to dealing with this further and making sure the farmers of Ontario realize the Ontario government will stand behind—

The Speaker (Hon Gary Carr): The minister's time is up.

HEALTH CARE REFORM

Mr Dalton McGuinty (Leader of the Opposition): I have a question for the Minister of Health. The people of this province have a right to know if there are problems in our health system. We are facing a crisis when it comes to our emergency rooms. You may not be prepared to accept or admit to that, but the fact of the matter is we are experiencing that in Ontario today. Emergency room backlogs have increased every year on your watch since 1996. This past June, greater Toronto area emergency wards turned away ambulances for an average of 246 hours. That's a rise of 66% over last year.

My concern today is that Toronto ambulances have informed us that they are no longer going to be releasing information on the amount of time that hospitals redirect their ambulances. I am asking you, on behalf of Ontarians, not to hide—to guarantee you will ensure we are provided with this kind of information on an ongoing basis.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I'm pleased that the member has brought to our attention today that the situation related to emergency room pressures is one we certainly face and that we have faced for a long time. In fact, yesterday

when I met with my colleagues the provincial, territorial and federal health ministers, Mr Rock raised this issue, because there is an awareness that throughout Canada we have a growing and aging population, and each year there are these pressures.

However, I'm pleased to point out to the Leader of the Opposition that despite the fact your party had no plan, since we were elected we have been moving forward with a plan to ensure we have a strengthened and modernized system in our province to ensure that more and more people every year who need services will receive them. We have added more than \$620 million to expand emergencies, hire more nurses, more doctors—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary?

Mr McGuinty: Minister, I am longing to hear you stand up here at some point in time and admit that the system is worse today than ever before, and it's because you cut 5,700 acute-care beds. There is no room to admit our ambulance patients because there is no room in the upper floors. You've cut the beds. There is no room inside our hospitals. That's why we're having problems inside our emergency rooms.

You didn't answer the question, though. Listen, you people over there are great when it comes to imposing accountability on schools and teachers and, of late, municipalities. I'm asking you to be accountable by providing us with information on what's happening inside our emergency rooms. Will you now stand up and guarantee us that you will personally provide us with this kind of information, regular statistics, telling us what is happening inside our emergency rooms? Will you do that, Minister?

Hon Mrs Witmer: As I said, this was an issue that was discussed yesterday by Canada's health ministers. I can assure you, each province and territory is working forward to take the steps to ensure that we continue to strengthen and make sure the emergency services are there for people throughout Canada.

In fact, I would like to tell the leader opposite that we have invested over \$620 million into improving our emergency rooms. We are presently expanding about 57 of our emergency rooms. We've just recently seen an expansion at North York and St Mike's here locally. We have made more money available in order that there will be an additional 100 discharge planners. We are building 20,000 long-term-care beds in order to ensure that people can be more appropriately accommodated, and we have our \$38-million flu campaign to reduce the pressure on the emergency rooms.

AIR QUALITY

Mr John O'Toole (Durham): My question today is to the Minister of the Environment. This morning I read in one of the Toronto papers that your ministry has not taken any action on the issue of air quality in Ontario. I can tell you that the people of Durham are concerned about the environment, which of course includes the

quality of the air that they and their family and their children breathe.

I want you to reassure not just my constituents in Durham but all of Ontario that your ministry is indeed taking action and perhaps you could share that with the House today.

Hon Dan Newman (Minister of the Environment): I want to thank the member for Durham for his question today. I can assure you that the Ministry of the Environment is dedicated to ensuring clean air for all Ontarians.

Ontario is a leader in many areas of this issue. We have taken action to protect the air we breathe. Under the anti-smog action plan, Ontario has committed to reducing smog emissions by 45% by 2015 and committed to an interim target to reduce these emissions by 25% of 1990 levels by 2005. In June 2000, as part of the Canada-wide standard for ozone, Ontario agreed to advance the 45% reduction target from 2015 to 2010.

We can't rest on our laurels. We recognize that there is still more work to do.

Mr O'Toole: Thank you very much for that comprehensive response. It reassures me and re-establishes the confidence of the people of Ontario in the leadership you've taken in the ministry.

Minister, I've heard you say in the House before that the US is responsible for over 50% of Ontario's smog. I think we all agree on that as well. Smog does not recognize international boundaries. However, my question is: what is the province's Ministry of the Environment doing to ensure that our jurisdictions are dedicated to improving the quality of air we breathe? That's the question here today.

Hon Mr Newman: I agree with my colleague that everyone needs to know more about how to protect the air that we breathe, because, as the member noted, smog knows no boundaries.

We need to work with other jurisdictions to ensure that Ontarians have clean air to breathe. That's why this morning I spoke to the Alliance for Responsible Environmental Alternatives, where I challenged the federal government and other Canadian jurisdictions to meet Ontario's tough new monitoring and reporting requirements for the electricity sector so as to give scientists a more accurate picture of the emissions across North America; to implement measures to capture methane emissions, one of the most potent greenhouse gases from large landfills; to introduce emissions testing for motor vehicles, similar to Ontario's Drive Clean program; and to recognize the need to develop a coordinated North American strategy to improve air quality and fight climate change in the global arena.

1450

FINANCEMENT DE L'ÉDUCATION EDUCATION FUNDING

M. Gilles Bisson (Timmins-Baie James): Ma question est au ministre de l'Éducation directement. Madame la ministre, vous savez qu'en 1992-93, notre gouverne-

ment, le gouvernement NPD, a mis en place la Garderie Clin D'Oeil dans la ville de Timmins, où il a établi une garderie pour les jeunes francophones de notre région à l'école secondaire Thériault.

Comme vous le savez, grâce à votre fameuse formule de financement, on a une situation à travers la province telle qu'à la Garderie Clin D'Oeil de Timmins, où ces garderies sont chassées des écoles parce que votre fameuse formule de financement n'alloue pas à ces écoles la possibilité de les garder dans leur établissement.

Je veux savoir de vous, madame la ministre : étant donné que vous avez créé ce problème, avez-vous une réponse, une solution, pour que ces garderies, telle que la Garderie Clin D'Oeil à l'école Thériault, puissent garder leur localité, ou êtes-vous préparée à donner l'argent nécessaire pour qu'elles trouvent un établissement qui puisse abriter leur garderie ?

Hon Janet Ecker (Minister of Education): To the honourable member—and my apologies for not being able to answer in your language, sir—first of all, we do, in the way we fund schools, protect existing daycare spaces. It is something that can be exempted from the calculation of classroom space. We are looking this fall at better ways to improve the funding of schools for accommodation and space. I can't predict how that policy review will come out, but we have asked boards for their recommendations, their long-term plans on ways and areas in which they think we need to adjust funding.

I think it is important to recognize that we did recognize that daycare spaces within schools, certainly in many communities, have a value. That's why those that were in existence have been exempted from the calculation of classroom space.

M. Bisson : Madame la ministre, excusez-moi. Vous êtes la ministre de l'Éducation. J'imaginerais que vous compreniez au moins le dossier.

À travers la province, toutes les garderies qui se trouvent dans les écoles, comme la Garderie Clin D'Oeil à Timmins, se trouvent dans une situation, grâce à votre formule de financement, où elles vont être chassées de ces écoles. Ces gens viennent de me rencontrer, en tant que député de ma région, ainsi que d'autres députés à travers la province, pour dire que c'est votre faute, après ce que vous avez fait à la formule de financement.

Ne levez-vous pas dans cette Chambre pour dire quelque chose qui est complètement contraire à la réalité. Monsieur le Président, je ne peux pas dire les mots qui ne viennent à l'esprit, mais la ministre—je ne peux pas même les traduire, parce qu'il n'est pas parlementaire de lire qu'elle a menti.

Je veux vous demander sérieusement, madame la ministre, avez-vous l'engagement ici aujourd'hui, dans cette place, pour dire que vous allez mettre en place les fonds nécessaires pour que ces garderies restent en place dans les écoles ou que vous allez mettre en place le financement pour qu'elles puissent trouver des chez-elles ?

Hon Mrs Ecker: I will trust that the translation was accurate in terms of what was said.

First of all, there is not an event that occurs in education today that is not somehow or other blamed on this

government. I appreciate the member's remark in that vein.

However, we did make a special recognition for existing daycare spaces in schools. There is no question that if there is movement and changes in buildings, it may mean that a daycare space is moved. What we have tried to do in those communities is to work with social services and the other community agencies to ensure we do not lose daycare spaces in a community.

I'd be very pleased to have staff take a look at this particular circumstance, first of all to make sure the school board is not doing something that is inappropriate and not allowed for in the funding rules, and if there are other things that we might well do to assist—

The Speaker (Hon Gary Carr): The minister's time is up.

DOCTORS' SERVICES

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health. You are well aware that in the Niagara Peninsula we have had, as I know they have had in places such as Windsor and Sarnia and so on, a problem with a sufficient number of ophthalmologists to be able to deal with all of the patients who require their services. In addition to this, you would be aware that there is a drug called, I think, Visudyne, which will assist people tremendously who have macular degeneration.

The question I would like to put to you is twofold, because I don't have time for a supplementary. First of all, when are you going to lift the billing cap on ophthalmologists in the Niagara Peninsula so that we in the Niagara Peninsula can have a sufficient number to serve people and not force them to go miles and miles to other communities? Second, when are you going to approve the use of Visudyne by having OHIP pay for it automatically when it is prescribed by a doctor?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member knows when it comes to physicians and number of physicians and physicians reaching their caps, the decision regarding physicians is made each and every year, so that's dependent year-to-year on the particular situation in each community and the need for those specialists.

When it comes to drugs, as the member knows, I don't make that decision. We have a DQTC committee which carefully reviews all new drugs that are approved by Health Canada and then, based upon criteria, makes recommendations regarding the availability. I would point out that our government has added over 1,100 drugs to the formulary and many, many new drugs are available today, such as Aricept and Celebrex, that obviously are responding to the needs of people.

FAMILY RESPONSIBILITY OFFICE

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, on a point of privilege: Earlier today, pursuant

to standing order 21, I provided your office with a copy of this letter:

"On Tuesday, October 3, 2000, I was advised by my constituency assistant about a series of conversations with officials at the Family Responsibility Office that I believe infringe on my rights and privileges as a member.

"You will be aware that in 1996 the government closed all eight regional family support plan offices across the province. The Family Responsibility Office was established to replace the old regional offices, with all services centralized to one office.

"The ensuing administrative and political problems resultant from these changes have been well documented. Most members of the Legislature experienced a sharp increase in the number of constituents calling for assistance dealing with the Family Responsibility Office.

"Special liaison officers were established at the Family Responsibility Office to help members deal with the sheer case volume they were experiencing.

"Due to vacation schedules at the Family Responsibility Office this year, my office was left with no contact person whatsoever at the beginning of September.

"Calls to Ms Sherry Reid in the Attorney General's office resulted in my office receiving a contact person named Sonia Desantis. Ms Desantis indicated in mid-September that she would assist our normal contact, Stephen Lau, because we had more inquiries than any other MPP's office. You should note, sir, that my office—and I know other members on this side of the House—"is only permitted contact with the Family Responsibility Office one day per week. This was done without consultation with myself and by direction of the Family Responsibility Office. As of October 3, my office is involved in 14 outstanding cases." These involved people who had not received cheques that were deposited with the Family Responsibility Office.

"On October 3, my constituent assistant was informed by Stephen Lau that he is 'too busy to take enquiries regarding constituents who have not received cheques in the past few months.' According to Mr Lau, his case manager stated that my staff should direct constituents to the Family Responsibility Office's 1-800 line. Constituents routinely inform me that calls to that line result in waiting of at least one hour. This is totally unacceptable.

"I believe that the most important aspect of being an MPP is assisting people who need help dealing with the provincial government. It is unbelievable that my office has been told that they will not receive assistance due to a high caseload. I have spoken with a number of other members on this side of the House and they have been informed of the same.

"Beauchesne defines parliamentary privilege to be 'the sum of the peculiar rights enjoyed by each house collectively ... and by members of each house individually without which they could not discharge their functions.'

"Mr Speaker, I can only conclude that the actions taken by the Family Responsibility Office precluded me from discharging my functions as an MPP.

"Accordingly, I ask that you investigate this situation to determine if my privileges have been infringed, and if not, whether in your opinion, I have a legitimate grievance which should be addressed by the Attorney General."

1500

The Speaker (Hon Gary Carr): I thank the member for his point of privilege. The government House leader?

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader): I think it's clear that the member opposite, as have many members of this Legislative Assembly who have constituency offices that are active in dealing with this particular issue, has over time had difficulty with the Family Responsibility Office.

Having said that, the response time, the attempts by this government over the last five years to improve the situation, which was completely chaotic before this government came to office, has been very substantial in terms of the improvement that we, this government, have brought to that office.

Notwithstanding that, it will always continue to be a challenge for any government to provide the service of trying to get, for spouses and for children, payments through the system in a reasonable time in order for the system to work in a very reasonable way. We have tried to deal with that in terms of a piece of legislation to take out of the system the people who are paying their bills so that that can be done directly.

Having said all that, the complaint of the member opposite relates to a service which is provided by the bureaucracy of the government of Ontario. He may or may not like that service; he may not think that service is good enough; he may believe that response time should be quicker. I understand those concerns, but they are not a point of privilege as to what our rights and privileges are in this Legislative Assembly. Our rights and privileges relate to our rights to speak in this Legislature, our rights to vote as members of this Legislature and our rights to represent their interests in this Legislative Assembly.

They do not, unfortunately—and I don't know how this would ever become a part of the privileges of a member of this Legislative Assembly—relate to demanding a better, different, more expensive, quicker kind of service from the bureaucracy.

So, Mr Speaker, this is not a point of privilege. If there continue to be attempts by this member in particular, but also other members of the Legislature, to raise—

The Speaker: We've got the drift. I appreciate it, government House leader. I think what would be very helpful is if I clarify exactly what the point of privilege is. In my ruling, I will do that, and outline it to all members. That will be the official ruling of the Speaker, so that with the ruling, all members will know exactly what a point of privilege is. I will do that, rule on it, and outline for all members so that they can refer to exactly what a point of privilege is, and set the boundaries for all the members.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents, and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north, which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This is signed by dozens more of my constituents who are concerned with this issue, and I affix my signature once again in full support of their concerns.

Ms Shelley Martel (Nickel Belt): I have a petition regarding the government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by hundreds of residents in my riding. I'd like to thank Gerry Lougheed Jr for all his work, and I agree with the petitioners.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario:

"Whereas essential health care and educational services have been deprived of government funding because the Conservative government of Mike Harris has diverted these funds to self-serving propaganda in the form of pamphlets delivered to homes, newspaper advertisements and radio and TV commercials;

"Whereas the Harris government advertising blitz is a blatant abuse of public office and a shameful waste of taxpayers' dollars;

"Whereas the Harris Conservatives ran on a platform of eliminating what they referred to as 'government waste and unnecessary expenditures,' while squandering well over \$185 million on clearly partisan advertising;

"We, the undersigned, call upon the Legislative Assembly of Ontario to implore the Conservative government and Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising."

I affix my signature. I'm in full agreement.

HOSPITAL SITE

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Parliament of Ontario:

"We, the people, the taxpayers, the voters, the undersigned, petition our Parliament of Ontario to allow our new community hospital to be built on the perimeter area of our city for the following reasons: less expensive land; availability of land for future hospital expansion; availability of land for parking requirements; best accessibility to major roads; less expensive building requirements; preservation of tax base in the city of Sarnia; and no need to convert homes into parking lots.

"Such development is in keeping with the official plan for the city of Sarnia and supports the population growth of our city and surrounding community."

I affix my signature to this petition.

SNOWMOBILE LEGISLATION

Ms Shelley Martel (Nickel Belt): I have a petition organized by the Sudbury Trappers Council that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Bill 101, An Act to promote snowmobile trail sustainability and enhance safety and enforcement, does not exempt trappers from driving a motorized snow vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle;

"Therefore we, the undersigned, petition the Legislature of Ontario as follows:

"That subsection 2.1(1) of Bill 101, 2000, should be amended to:

"No person except trappers with a valid trapper's licence shall drive a motorized vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle."

I agree with the petitioners. I've affixed my signature to the petition.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): To the Legislative Assembly of Ontario:

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of our water needs is completed. An independent non-partisan body should undertake this evaluation."

I agree with this petition and I will affix my signature to it.

1510

OAK RIDGES MORaine

Ms Shelley Martel (Nickel Belt): I have a petition regarding my private member's Bill 71, which reads as follows:

"Whereas the protection of the Oak Ridges moraine and other natural areas are vital to ensuring that Ontarians have a safe and plentiful water supply;

"Whereas the Oak Ridges moraine is an environmentally sensitive area and is an important part of Ontario's natural heritage; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying natural wetlands, forests, wildlife and groundwater; and

"Whereas it is important for the government of Ontario to have policies for the protection of the ecosystem in wetlands areas; and

"Whereas Mike Harris and the government of Ontario have failed to protect the Oak Ridges moraine; and

"Whereas the policies of the Mike Harris government have threatened the Oak Ridges moraine and other natural areas in Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To put an immediate freeze on all future development on the Oak Ridges moraine and to immediately pass into law Bill 71, the Oak Ridges Moraine Green Planning Act, that will create a comprehensive plan for the protection of natural areas for the benefit and enjoyment of future generations."

Obviously, I agree with the petitioners.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I'll affix my signature in full agreement with the concerns of the thousands of individuals who signed this petition.

EDUCATION FUNDING

Mr David Caplan (Don Valley East): I have a petition to the Legislative Assembly of Ontario:

"Whereas Mike Harris promised in 1995 not to cut classroom spending but, as we all know, he's already cut

at least \$1 billion from our schools and is now closing many classrooms completely; and

"Whereas community use of schools is necessary to preserve low-cost and easy access to community programming in our riding; and

"Whereas the Mike Harris funding formula is forcing boards of education to charge high fees to groups that require use of schools for their programming;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate community use of schools at low or no cost to the community groups renting the facilities."

This petition has been signed by several hundred community residents, and I wholeheartedly agree with it and I will affix my signature to it.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"Whereas the passage of Bill 112 would vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"Whereas the passage of Bill 112 would limit the focus of the art collection and reduce the gallery's ability to raise private funds and thereby increasing its dependency on the taxpayers;

"Whereas the passage of Bill 112 would diminish the authority and responsibility of the board of trustees; and

"Whereas the passage of Bill 112 would significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

CORRECTIONAL FACILITIES

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition:

"To the Legislative Assembly of Ontario:

"Whereas privatization of Ontario's correctional services is wrong, only publicly run and accountable correctional services can be beneficial to taxpayers, employees and those incarcerated,

"Therefore we, the undersigned, demand that the government of Ontario stop privatization of any correctional service now."

I affix again my signature in full agreement with these concerns.

McMICHAEL CANADIAN ART COLLECTION

Mr David Caplan (Don Valley East): I have a petition:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of the best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would:

"Constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection;

"Vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"Diminish the authority and responsibility of the board of trustees;

"Limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and

"Significantly reduce its capacity and strength as an educational resource in Ontario;

"Therefore we, undersigned citizens of Toronto, petition the Ontario Legislature to withdraw Bill 112."

I agree with the petition, and I will sign it.

ORDERS OF THE DAY

DOMESTIC VIOLENCE PROTECTION ACT, 2000

LOI DE 2000 SUR LA PROTECTION CONTRE LA VIOLENCE FAMILIALE

Resuming the debate adjourned on October 4, 2000, on the motion for second reading of Bill 117, An Act to better protect victims of domestic violence / Projet de loi 117, Loi visant à mieux protéger les victimes de violence familiale.

The Acting Speaker (Mr Tony Martin): The time was split between the two members from Windsor, and neither of them are here, so it's the NDP. Further debate?

Mr Rosario Marchese (Trinity-Spadina): It would have been good to have had a Liberal here, obviously, to bring us into this debate, but always ready. Always ready, former candidate for the Alliance; always ready, willing and quite eager to discuss Bill 117. I've got it

right here, and I want to read what its title is. The title says, "An Act to better protect victims of domestic violence." They never cease to amaze me with their titles. This is one of their most important agendas: the law-and-order agenda of this Conservative government. It follows on the heels of so many other bills that they've passed.

You'll recall the squeegee bill, the Safe Streets Act. Radical stuff, man, revolutionary stuff. They went after those poor little squeegee kids and made it appear like, "Good God, we have restored order in the country. People in the province will now be safe from those rascals in the street."

You remember that some of those young people were cleaning windshields and, man, did it scare the pants off those old men and women. So Harris comes along with his squeegee bill, the Safe Streets Act, and, lo and behold, the rascals and the rogues are off the streets and law and order has been re-established. Why? Because Harris was there to protect us, men, women and children, frail indeed, from these young people, who were just a couple of hundred, I think, in the streets trying to make a couple of bucks. I would make my contribution. I was never really frightened, as the Harris government claimed that most drivers were. I don't know where that fear came from, but they re-established law and order with the Safe Streets Act, the law-and-order agenda.

Then they came up with the other one, the one that's called the Parental Responsibility Act. You remember that one. You recall that with that one, again, law and order—we were going to go after those young rascals who committed offences against property and/or people, and boy, oh, boy, the offence was going to cost the parents big bucks. I think \$5,000 was the sum, and man, oh, man, did we re-establish law and order once again in Ontario, all due to the diligence, the vigilance of the Premier, who, with his omnipotent oversight abilities, was to see that by introducing such a bill, the young rascals would be tamed because the parents would now be on the hook for those offences. Lo and behold, with that bill we have peace, law and order, and good government in Ontario.

1520

Ms Caroline Di Cocco (Sarnia-Lambton): We already had one.

Mr Marchese: I'm reminded, but I hadn't forgotten: you will recall that the existing law already gave individuals the power to sue individuals where there had been damage against an individual person and/or property. In fact, there was no limit of \$5,000 that one could get; you could claim more even.

This is the paradoxical nature of politics. This is where dissimulation needs to be uncovered. People say things and do not mean what they say, and the bills do not say what they mean, as a result of which we've got a law-and-order agenda that the Reformers out there think these people are implementing, but they're measly little things, little attempts to solve some little problem. In the case of Bill 117, it's not a little problem; it's a big problem we're

dealing with. But they make it appear like they're taking giant steps.

I'm not a lawyer. A former modest teacher is all I am. But I can tell you that reading through this stuff doesn't give me the sense that we're solving the problem. We're making it appear that we're doing more than we actually are, and that's what I object to with the agenda of the Tories. Simply say what you're doing. Say it modestly. Say that these are modest attempts to deal with your perceived problems in Ontario, and then people like me wouldn't feel so angry at your initiatives, when you pretend to say more than is actually contained in those bills.

Remember the bill of rights? Good folks of Ontario, do you remember the Victims' Bill of Rights? To hear Mike Harris and the other MPPs, that bill contained rights given to victims, and everybody believed it. Everybody in the province believed it. Why? Because the title said so. It's the Victims' Bill of Rights. If it's written, it must be so. That's where I get cranked up in this place. If they were actually saying what they want to say, I'd say, "OK. We have a disagreement. They're doing a couple of things, good or bad," and you move on.

But the Victims' Bill of Rights had no rights. Good people of Ontario, taxpayers—yes, you—Judge Day said this so-called Victims' Bill of Rights was nothing but a statement. I believe the judge said it was a beguilingly disguised piece of legislation, or beguilingly disguised as legislation but nothing of the sort. That's it, more or less paraphrased. It was just a statement, no rights. Yet these Tories have the courage, the fortitude to go out and say to the people, "We have a law-and-order agenda." That fits well within the framework of a Conservative-Reform—Alliance-minded person. Yet if they needed the truth they would say, "My God, we've got to get rid of these Tories. What we need is an Alliance Party, because the Alliance Party says, 'We're going to do what the Conservatives are not able to do.'"

Sooner or later the Conservative Party will disappear. It's got to disappear—this one and the national one—because the Alliance has taken root. It has taken like a leech. It has leeches itself on to this body politic, and I suspect it's just a question of a short period of time until most Conservatives say, "We had better just fold the tent and connect ourselves with the Alliance," the party that used to be the Social Credit at one end of the world, then the Progressive Conservatives, then the Conservative Party, then Reform, then this new Canadian Alliance/Reform. Man, oh, man, is it ever a progressive party. It's in constant evolution and, like the good chameleon it should be, it evolves to fit the circumstances of the day. This is the party, and the Liberals had better catch up. It's hard to maintain the level of change these Reformers are able to engage in. Anyway, I'm getting off topic.

Bill 117 is another bill. They started this session with another law-and-order agenda. As if they haven't had four years of talking about law and order, they want to begin the session again with law-and-order issues. Cut

taxes, bash welfare recipients, go after the poor—after four years of suffering through this, they are not able to move on. Unlike some of their leaders, who realize they've got to change their titles, they haven't changed the agenda. People expect a changed agenda, but we're getting more of the same.

That's why I made reference to the other bills: the squeeze bill; the Parental Responsibility Act, which had nothing more by way of powers than we had before; the Victims' Bill of Rights where there are no rights, and now this.

I have to say positively in this regard that obviously there are some things we support. We support the bill inasmuch as it purports to toughen up restraining orders that would help keep battered spouses, partners and children safe. The bill does other things like broaden the category of people who could be protected; for instance, it includes people in dating relationships. It requires the abuser to leave the residence. Currently that only happens on arrest or breach of order. Good things. How can you disagree? But they're not radical. It's under the rubric of "An Act to better protect victims of domestic violence," and makes it appear they have solved this problem of violence against women, and they haven't.

I began my comments by saying there are 95 organizations in the province that met a couple of months ago to talk about the issue of violence as it relates to women. They invited the leaders of the opposition and other members, they invited Mr Harris, they invited the ministers involved and their members—and, by the grace of God, they sent somebody who I think said very little, if anything—and were completely unsatisfied by the end of the day that they had the ear of the government.

Good listeners of this political forum, would you not expect the government to listen to those 95 organizations that deal with women's issues, in particular, violence against women? Would you not expect the government to go and consult with them first and take the best of what they have to offer and introduce that in the form of a bill? But they didn't even meet with these organizations. Neither the minister nor the Premier met with them. Isn't that a complete disregard for those organizations that daily have to deal with issues of abuse and violence?

I couldn't do their job. God bless the fact that these organizations are in place, volunteering thousands and thousands of hours, doing their best with less and less money than ever before to deal with an issue that I couldn't cope with. I couldn't cope with that, because I think violence against women is the most hurtful thing I could be dealing with. As a man, the fact that there are men in our society who have and use, and abuse, the power to beat up women is an offence against human nature, against humankind. That there are still men out there doing that kind of violence against women is to me almost unthinkable. An equally offensive thing to me is that there are men and women out there who could abuse children, little boys and little girls. That to me is the worst offence in this world. I would spare no time and I would make use of the law, yes, to its utmost to make

sure that those who commit, perpetrate, such acts of violence against women, against children, are not spared the toughest legal measures there are. I wouldn't spare them at all.

1530

I think we've got to do more as a government. I really do. The government has a responsibility, first of all, to meet with those 95 organizations which have made requests about what ought to be done and have not been listened to. When they take this bill out for discussion, they've got to listen to those organizations, again, because they are on the front lines. You, Premier, are not on the front lines. You, Minister, are not on the front lines. We are blessed in this place, I tell you. Those 95 organizations are on the front lines dealing with issues of abuse and violence, and they are the ones who need to be respected and listened to. If they recommend that we spend \$300 million in terms of prevention, then you ought to be there and you ought to be spending the money.

I wanted to begin by saying that this government has failed us over and over again in its outward disguise and its outward articulation of consulting with people, only to find out that they don't consult. You hear the Minister of Education on a regular basis saying, "We consult teachers. We consult parents." We ask them who, because the people we've talked to don't agree with the minister. One wonders, who are you listening to?

The people in these organizations say that eight of these 95 organizations have suffered cuts in their programs. How? Why? How do you justify that? It's an embarrassment for a government to have initiated such cuts against organizations that deal with very vulnerable people. Eight of those organizations sustained cuts.

Explain yourselves to the public as to why you could do that and get away with it. Explain that to the public when these organizations say, "We need more housing to house victims of abuse, to house people of modest means," to house people who don't have the luck that some of us in this chamber have to have access to a home, particularly when there's an issue of abuse and they need to go somewhere and the waiting lines in our non-profit homes and in our public housing are too long for them to be able to access the home that they need. How could you as a government not have a modicum of a conscience to able to say, "Yes, they need a home," particularly when abuse has been involved?

This government doesn't want to build housing. They say they are not in the housing business. The other day Mr Clement said he hears the federal government is opening it's doors to the construction of housing. Mr Clement was reported as saying—I read it in the Toronto Star—that he's not going to wait for the federal government. Why, he's going to introduce measures of his own.

What am embarrassment. This guy, M. Clement, the Minister of Housing, said, "We're not in the housing business." In fact, they're not. They haven't built one single unit in this province. The private sector they rely on has only built 500 units in the last year. The need for

housing has been clearly documented by neutral people over and over again, and this guy says he's not going to wait for the federal government to start building; he's going to do it on his own. It's so tragic it makes you want to weep. That's why I said last week that when we laugh, we laugh out of desperation, out of the tragedy that we experience and we have to bear listening to you people. We need more shelters, not just in Toronto any more, but beyond, in your own borders of 905 and beyond. What have you done about that? You've done absolutely nothing about that.

We hear from you that the extension of 24-hour-a-day provision of service to enforce restraining orders requires a major investment in staff. The extension of 24-hour-a-day provision of service to enforce restraining orders—that's all very well and good, but does anybody believe that the resources are there or that the resources will be put in order to make that measure effective? I argue no and I say no, the money is not there and the money will not be put in there, and so that measure, while it looks good and sounds good, will be ineffective because the money is not there.

We have underfunded courts, which the government will not admit to. We have a serious backlog in provincial offences court. We have restrictions on people as to who is eligible for legal aid, and we've had cuts there in the past that this government is not restoring in spite of the economic success we've had in the last five years, in spite of the millions and millions of dollars we've had in this economy. They are throwing it away to the corporate sector. Five billion dollars is going to the corporate sector in the next four years; \$5 billion of my money and your money just thrown out the window to the corporate sector, which has experienced the best boom in this province in the last many years. Five, six years of a good economy and they give away five billion of your dollars to the corporate sector and they don't have any money to give to these things that they propose here today to make what they propose effective.

They're going to have a 24-hour line with no extra JPs, of which we are short, and no training, by the way, because this government believes judges are independent and they don't need training as it relates to their judgment on restraining orders or bail orders or anything connected to violence against women.

We need an hour for debate on this; we need hours and hours of debate on this. People will want their say, and all I hope is that this government will go off to the public, have extended hearings so those 95 organizations and people affected will be able to tell this government how inadequate this bill is at it relates to abuse against women.

The Acting Speaker: Comments or questions?

Mrs Julia Munro (York North): It's a pleasure to be able to rise and give some balance to the discussion we've heard so far.

There are a number of important details that need to be emphasized. First of all, this issue is one that certainly impacts our communities, families and individuals, and

we all recognize how important it is to have programs that will address this issue.

In a number of ways we have addressed this issue. In community and social services there has been, just as one example, an additional \$10 million to hire additional support workers, partly in order to be able to help children who have witnessed violence, recognizing that obviously, while the impact is great on women, it is greater on children. This money is also used to support additional shelter funding.

In my riding I was able to take part in one of the original victim/witness programs, the VCARS program, and it's really very heartening to see that this program has been expanded by 50%. We are now looking at 26 across the province.

SupportLink, which provides women with access to emergency use of cell phones, has been expanded tenfold.

In housing there is a commitment to \$50 million in rent supplements. This will go to help up to 10,000 families and individuals. This is the record.

1540

Mr David Caplan (Don Valley East): I can't believe what I just heard come out of the mouth of the member for York North: a rent supplement program which, by the way, was announced over a year and a half ago, and they've only tendered out contracts for 5,000 units. They can't even fulfill those. As of June, their record is 1,339 contracts. This is the record? That's not even for women.

In fact the record, when it comes to domestic violence programs, when it comes to funding and support—they cut shelter funding. They cut shelter funding for women and children fleeing abusive situations and for emergencies. Worse than that, indeed, funding for second-stage housing—you see, it's not just enough to get into an emergency shelter. Women and their children need to have a transitional place to go in order to get back on their feet, in order to get back toward employment, toward education, toward accessing health services. That's called second-stage housing. The Harris government has eliminated funding for second-stage housing entirely across the province of Ontario. I can't believe what I just heard. That is an incredible distortion of what the record of this government is.

I want to congratulate the member for Trinity-Spadina for his remarks because I think he made some very good points about what this government has done, what it continues to do, how this measure, while everybody of course will support it, really emphasizes things that are already happening, provisions that are already in the Criminal Code of Canada. Sure, there's a lot more that needs to be done, but the point is essentially this: these kinds of measures should be in addition to all of those community-based supports, all of the things which are truly effective, not in place of. Unfortunately, that's the approach that this government has taken: we're going to have a few punitive measures but we're not going to have any of the community supports.

Ms Marilyn Mushinski (Scarborough Centre): I must say that I believe the tone of today's debate has

somewhat degenerated from the fairly non-partisan, passionate tone that we heard yesterday. I certainly want to repeat the commitment I made in my speech yesterday to continuing to ensure that this government is totally committed to eradicating domestic violence from this province. In my speech yesterday I spoke about the initiatives that our government has made. In fact, I spoke about the 40 programs that are in existence today and most certainly I also spoke about the actual increase in expenditures we have made since 1995. We now spend almost \$135 million, which is an increase of over \$37 million since 1995. We've also made a commitment to spend a further \$5 million that will be added next year, which will bring the total in expenditures to \$140 million.

I'm somewhat bemused by the thespianic rantings of the member for Trinity-Spadina when he says that we've withdrawn all support for housing. As my colleague to my right has said, we have committed \$50 million to rent supplements to help house over 10,000 families.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to respond to my colleague from Trinity-Spadina. Let me begin by saying that I didn't see his statement as a rant at all but rather his usual eloquent and effective manner of conveying the passion I think he feels on this issue and many others.

First of all, like that member, we support this bill and we recognize that the real problem in the whole question of domestic violence is what's missing and what hasn't happened and in fact what has happened in the past. You can take those aggregate numbers and you can rearrange them on a balance sheet or an income statement, and at the end of the day what's lacking are the types of support that are needed in the whole area of prevention.

I would be remiss if I didn't mention in my own community Hiatus House, headed up by Donna Miller, who has done an excellent job in prevention initiatives, in providing our community with the kinds of supports it needs. I've met Donna on many occasions. I've spoken with members of her board; indeed, I helped raise some funds with them earlier this year in memory of my late colleague Shaughnessy Cohen, who sat on the board of that organization. I can tell you unequivocally that organizations like Hiatus House have felt the pinch very much and have identified a number of shortcomings in the funding and prevention models that we have spoken about and that my colleague from Trinity-Spadina spoke about so passionately.

So I say to the government members, we applaud this initiative, we support this initiative, but in the absence—indeed, in the presence of so many other changes, whether you're talking about housing or counselling or whatever, it really isn't enough. This bill doesn't do everything that should be done. Think about the rest of it.

The Acting Speaker: Response?

Mr Marchese: I thank the members from Don Valley East and Windsor-St Clair for their kind remarks and would respond to the member for Scarborough Centre, who can so easily dismiss me by saying she's amused by

my rant. It's so dismissive. What we say is a fact, confirmed by every housing provider out there in the province, but she so casually dismisses my comments as rant: "I'm amused by that."

I say, with respect to this initiative, that this bill in fact disguises the real problems we have with this government and disguises the real problems that this government has caused, on the very problem we're trying to deal with. Ultimately the voter will see through it, I am convinced; will see through the dissimulation of this government.

Women's groups say that the extension of 24-hour-a-day provision of services to enforce restraining orders requires major investment in staff, JPs, judges, police etc. Women's groups say we'll need to ensure police and crown lawyers are trained to deal with domestic violence issues, and judges and JPs will need training too. Women's organizations say this act will require increased funding for legal aid to ensure women can access extended restraining orders. Women's organizations say this act will require increased funding for community-based services to inform and support women. The government has said it is willing to expand the number of spaces in male batterers' programs, but nothing has been offered to support women—no counselling, no extra legal aid, nothing.

I say, take this bill out for extended hearings so we can hear from the people and make you as accountable as we need to.

The Acting Speaker: Further debate?

Mr R. Gary Stewart (Peterborough): It's my pleasure to be able to rise in this House and talk on Bill 117, the Domestic Violence Prevention Act.

Before I start, I have to make a bit of a response to my friend across the way from Trinity-Spadina. His solution, for the five years his party was in government, was, "Give 'em more money." It's interesting to know that when you give them more money, and they gave them more money, there was absolutely no plan, there was absolutely no accountability, there was absolutely no economic research, there was absolutely no efficiency—that was totally thrown out the window—"but we'll give them more money." That is what got us into this situation we took over when we came into power in 1995.

Domestic violence is a very serious crime that has serious repercussions. I think one thing that this bill does, and I think it's long overdue, is that it defines domestic violence to include acts and omissions that cause bodily harm or damage to property, physical assaults and threats that cause a person to fear for his or her safety, forced physical confinement, sexual assault, sexual exploitation, sexual molestation, and any series of acts which collectively cause a person to fear for his or her safety. I suggest that every member in this House should be supporting this bill. I would also suggest that debate should have lasted about 15 seconds and everybody should have said, "We support this bill because we don't support domestic violence."

1550

Not only is domestic violence a crime against the person who is abused; it deeply affects children who witness violence in the family. If there is one reason to support this bill, it is the fact that this bill may in a large way protect some of those children who are affected by violence within the family. If I look at the Unified Family Court, which opened in my riding of Peterborough a couple of months ago, and also the supervised access centres which I had the privilege of opening about a month ago, which are run by Kinark family services, I think that those, along with this type of legislation, are very much focused on the children of this province. I suggest to you, if those kids are going to grow up and be responsible citizens of this province, that they have to be looked after in the way they should be—anything we can do to make sure they do not have to witness violence in the home—and when they go to court for domestic disputes, that they are treated well, and when they want to visit their separated parents, whatever it might be, that they have access to those parents in a very professional and kindly manner.

During the last five years, our government has taken a leadership role in helping to protect victims of domestic violence. In those five years, we have created and expanded the domestic violence court program and made it the largest and most comprehensive of its kind in Canada. We've expanded the victim/witness assistance program, the victim crisis assistance and referral program, the supervised access program and the Support-Link program. These are programs that get victims in touch with services that they need. I often think if any one of us in this House were a victim of domestic violence in need of those services, we would have to know how to access them and where they are.

It's interesting to mention again that the member from Trinity-Spadina made the comment that our government seems to be all about law and order. I grew up in a family where law and order were very well respected and should be respected. We were taught to respect law and order, so I certainly have no qualms whatsoever about being accused of being part of a government that believes in law and order.

We have also allocated an additional \$8 million annually to ensure that crown attorneys have sufficient time to meet with victims in preparing their cases for prosecution. This gives victims a voice in the justice system.

We're proud of our achievements and we make no apologies for our law-and-order agenda. We make no apologies for being on the side of victims. We make no apologies for holding abusers accountable, and we will continue to do that as long as this government is the government, which I suggest to you will be a long time into the future.

Improvements to the justice system are critical in helping victims of domestic violence, because the justice system holds abusers accountable for their actions. And why would we not? This is one of the ways of breaking

the cycle of violence. The criminal justice system is a critical centrepiece for combating domestic violence, because it clearly delivers the message that domestic violence is a crime. When the police force and crown attorneys prosecute domestic violence cases, the message that domestic violence is a crime rings loud and clear. For many years domestic violence was perceived as a private family matter—most unfortunate. It was either kept behind closed doors or it was kept in the closet. Thank God it is not any more.

I want to make one comment. When we talk about spousal abuse—and it's been bandied about here in this House—I want to emphasize the fact that spousal abuse includes both females and males.

The enforcement of the law and prosecution of cases is an important reminder that domestic violence is a crime. The work in the criminal justice system keeps the public and the abusers focused on the message that domestic violence will not be tolerated in Ontario.

I liken this to changes in the mindset about drinking and driving. Drinking and driving—and we all know it—years ago was socially acceptable. Unfortunately, a lot of deaths occurred because we deemed it to be socially acceptable. Now it is definitely clear that drinking and driving is not acceptable, that it is a crime and that it has a devastating effect on victims and families. There is an ad on television at the moment that I think is one of the finest ads I've ever had the privilege of seeing. It shows a mother and child in front of that grave and you hear an overvoice, "I only had a couple of drinks." It is now not acceptable, nor is domestic violence. I argue that we ought to have had the same mindset about domestic violence that we've had about drinking and driving because it is a crime. It is entirely appropriate that the justice system treat domestic violence as the criminal act it is.

Our government is keeping its promises to the people of Ontario. We said in the Blueprint that we would do exactly what we're doing regarding domestic violence. We're taking action to keep our streets and our homes safe. We're taking action to support and protect victims. Solutions brought about by the justice system are a critical component of that response. The restraining order reform we are proposing is an important element to better protect victims of domestic violence.

I understand that the federal Liberal government is planning a forum on spousal abuse and that it might consider some changes in penalties. It could happen. It is interesting to note that our federal Liberal government has more forums and more commissions and more discussions than any level of government I've ever heard of. I believe, and our government believes, that actions speak a great deal louder than words. That doesn't seem to be the Liberal way, whether it be here or in Ottawa. This is very much like the health care situation where the Premier of this province pushed to get the money back that the federal Liberals took out of the system. They have to know that they have to play a role, first of all, in health care, but also they have to be part of this solution

1600

Our government is calling on Ottawa to create a specific Criminal Code provision for domestic violence. All the forums they have, all the commissions, and all the talks are not going to push that forth unless they decide to act, and act quickly.

I want to present a couple of facts, if I may, things we have done that I believe support victims through many community-based programs. Yes, we have further to go, and we will continue to move forward in the future. Some \$51 million has been allocated to support 98 emergency shelters and related services in the year 2000-01. We're committed to supporting women's shelters because they help keep abused women and their children safe. They also provide practical and emotional supports that are essential to helping women escape violence in their lives and supporting those kids who witness that violence. The key word, and I want to emphasize that word, is "support." People in these types of situations, in these homes where domestic violence is happening, need the types of supports that we can offer them.

Funding for shelters includes \$1.7 million which was allocated by the Ministry of Community and Social Services in 1999-2000 for crisis lines across Ontario. These lines operated 24 hours a day, seven days a week, and fielded over 150,000 calls. We recognize the important role that these lines play by offering support and assistance to women in crisis. I believe that we are always trying to improve those services. When I look at 24-hour-a-day service, seven days a week, that's what we have to have, because domestic violence does not only happen at certain times of the day or night. We have to have support—again, I emphasize that word—for these folks who are involved in these types of situations.

Recently the Ministry of Community and Social Services announced \$10 million annually to enable shelters to hire transitional support workers and establish programs specifically designed to help children who have witnessed violence in their homes. These services have been identified as critical services by a broad range of agencies serving abused women and children, including the Ontario Association of Interval and Transition Houses, the United Way of Greater Toronto and the Joint Committee on Domestic Violence.

MCSS has also improved the means by which shelters are funded. We have simplified the funding arrangement by assuming the municipality's share. Some \$21 million has been allocated to over 100 counselling programs for women and their children in 2000-01. Approximately \$50 million has been committed to support innovative community-based projects that focus on vulnerable children and adults as part of the victims' justice action plan, and \$100 million annually has been allocated for the expansion of community-based programs, including the victims' assistance and the crisis referral service, and again SupportLink.

I want to talk about SupportLink for a moment. SupportLink provides safe planning, which can involve all phones pre-programmed to dial 911, some degree of

comfort and support for those folks who may be involved with this. This would help ensure that emergency response teams are alerted immediately if there is a danger.

An additional \$500,000 was provided to cover streamlined applications for emergency legal aid advice, and the number of hours was doubled to assist abused women seeking restraining orders. Legal aid for those—and there are possibly those people watching today—is a protection, for domestic violence is the highest priority for family law certificates from legal aid. These certificates can be issued immediately and made retroactive for victims of domestic violence. Legal aid provides 90 advice lawyers; two hours of emergency legal advice is available to eligible victims of domestic violence. In 1998-99, almost 3,000 women received assistance through our emergency legal aid service for women's shelters program.

I also want to make a comment about supervised access programs. As I mentioned, we just opened one in Peterborough about a month ago that is being looked after by Kinark family counselling. In that facility, it's like going into a family home type of atmosphere, where the colour of the walls, the toys and support things that are available to the kids, the kitchen facilities, make it a family atmosphere, where kids go in and certainly do not have the sense of fear or frustration that they had in their home. I want to congratulate the government on those types of centres. As I said, I have been in them. They are highly supported by the family court judges. I believe the supervised access centres are part of our ongoing commitment to ensure the well-being of Ontario's children and families.

It's drawing near the end and I want to say, as I said before, that I can't believe we would have a long debate on this particular bill. Anybody who will not support anything that will make domestic violence a crime, who will not help people who are involved in those types of situations, I feel is not thinking of society very well. I would hope that the opposition, as I said, would support this bill and would work with us to make sure this bill goes through quickly and that domestic violence will be less and less in this province in the future. I believe it will be, by bills like this, by support from all members of this House. I would ask that the members do indeed support the bill and don't support domestic violence.

The Acting Speaker: Comments and questions?

Mr Gerry Phillips (Scarborough-Agincourt): I'd like to comment on the comments by the member for Peterborough. I'd just say certainly we will be supporting the bill, but again we would say that if you're interested in real solutions, you would respond to the recommendations of the people who are in the field dealing with these problems on a day-to-day basis.

It is amazing to me that the Conservative government seems to describe problems in a completely different way than reality. Today we heard from the health minister about problems in our emergency wards. They are getting worse and worse and worse after five years of Mike Harris. Our education system is in turmoil.

Without a question of a doubt, I really don't think I've seen it this bad in 20 years, tragically. If somebody can prove me wrong, I'd like to know that. But the Minister of Health will get up every day and say, "No, things are just fine out there." It is a mess.

We've seen in Walkerton the government saying, "The environment's fine. What are you worried about?" Six people died. Things are getting worse; things are unravelling under Mike Harris. Our emergency ward situation is far worse now than when he became Premier. Our education system is in far more turmoil than when Mike Harris became Premier five years ago. The environment is a disaster. We are now the centre of attention internationally. This is the one thing that people know about Ontario: Walkerton. Almost whatever country you go to, they know about the disaster in Walkerton. Here we are having the member for Peterborough—to me it is sad that he actually believes that this is going to be a significant part of the solution. We know what the significant parts of the solution are: we pass this bill but we deal with the very important proposals by the people on the front lines, and we haven't heard them at all.

1610

Mr Marchese: The comments made by the member from Peterborough would fit so perfectly in a lesson in an English classroom under the theme *Illusion and Reality*. Indeed, the whole government's agenda could fit into a whole year's program of an English literature class under *Illusion and Reality*.

The member for Peterborough attacks the federal Liberal government, accuses them of doing all sorts of things, but essentially doing nothing, and then he says, "Aha, but our Conservative agenda is different." He says, "Actions are louder than words," and makes no apologies for being on the side of victims—like the Victims' Bill of Rights that has no rights. Is that what he means by being on the side of victims, where he actually lets people—the general public and victims themselves—believe that they have rights that are not contained in that bill of which Judge Day had to say, "It is beguilingly disguised as legislation"? But it's nothing but a statement, so the member from Peterborough would have everyone believe that somehow you have rights, and the Victims' Bill of Rights gives them none. That's what "Actions speak louder than words" means.

Then he makes reference to spousal abuse, and includes male and female. Please. Yes, there are some examples of males being abused by some woman but, good God, the abuse is by men against women, and that's systemic. It's an issue of power and it's an issue of the abuse of that power. Please, let's not confuse it. The real issue is violence against women, not the other way around.

Mr Frank Mazzilli (London-Fanshawe): It's my pleasure to speak on Bill 117. This is an area that's certainly long overdue, and if there can be a debate at committee at some point of some of the sections in this bill, then that should take place.

Domestic violence or assaults are certainly criminal offences, and the release orders, once someone is charged with a criminal offence, are under the Criminal Code. They're released on undertaking, recognizance and so on.

Restraining orders have generally been used in cases where one would say domestic violence, through some sort of abuse, is proven to the court but where an assault does not take place, where the victim fears that an assault may take place, where the victim fears for their safety from a partner. When it comes to restraining orders, the Family Law Act has never been clear on how to obtain them and where to access them. You had to make appointments. Women often had to make appointments, go see a justice of the peace at some point at the courthouse. What this bill does is to make that process much easier, where judges are going to be more available, where these things can easily be achieved, can be had on short notice.

If there are any difficulties within the legislation that need to be debated at committee, when it comes to assaults and domestic violence and the crossover between federal and provincial jurisdiction, that debate should take place, and it should take place in a productive manner so that we help people involved in these situations.

Mr Caplan: I certainly want to congratulate the member for Peterborough on his comments. I'm glad he's going to be supporting the legislation. I think all members of this House will be supporting it because domestic violence is a very serious and a very important issue.

I wanted to focus on some of the comments that he made. First, he castigated the members of the New Democratic Party for spending money. I was watching the clock. The member for Peterborough spent about seven minutes trying to outline how the Harris government cares about this issue so much and how they're spending money. I don't really understand how he would criticize the NDP on the one hand and then laud himself and his government on the other hand. I think this is an area, quite frankly, where we do need to spend some money.

I don't agree with the hypocrisy of saying, well, we have to do something but we're not going to spend any money on it. I don't agree with saying, OK, women and their children can go into a shelter but we're going to eliminate funding for second-stage housing which allows them to get out of shelters. That was a decision of the Harris government, and I really wish and hope the member for Peterborough will stand in his place today and say, "I think that decision was a very wrong one."

I'm committed to making sure that women and children can get out of shelters, can get back into the community, can get some stability in their lives, because shelters are not the only solution. In fact, punitive laws are not the solution. It is comprehensive.

One of the major events which has happened during the life of this government was the May-Iles commission: 213 recommendations to help to solve the problem of domestic violence. Certainly not everything would solve

it. This government's response has been deafening silence on the implementation of those recommendations.

The Acting Speaker: Response?

Mr Stewart: I'm not going to take a great deal of time to respond to the rhetoric I heard across the way. It's interesting that the last speaker suggested that we've been spending money. Absolutely we've been spending money. It's been spent in a targeted area, targeted spending with accountability, planned spending. We didn't, as my friend from Trinity-Spadina said, throw money at things, because sometimes it doesn't stick and it falls down and floats away, doesn't work.

But I am pleased that the members across did listen to some of the things I said. I'm also pleased that they have suggested they will support this bill. And as I said, it's like any bill: when it goes to committee and goes out and is being looked at and considered by the public, they have that right to do that and we want them to do it.

You know, I look at this bill, and many people across the way say that it's all wrong, yet we're doing something about it. We're doing something about it that has not been done in the last 10 or 15 years when these folks were there. Again, words, not action. We are the action people. We will do it and we will continue to do it.

So I would suggest that you can be extremely critical—that's your job—but when you become critical and maybe suggest that this act is not going to assist domestic violence, I believe that maybe you are supporting domestic violence.

The Acting Speaker: Further debate?

Ms Di Cocco: I'll be sharing my time with the member for St Catharines.

I do want to start off by saying that I will be supporting this bill, but I want to make it clear that this bill will be almost insignificant in dealing with the complex issues of family violence.

The fact that cannot be ignored is that most women do not contact or go to the criminal justice system. It just isn't been the case. And as much as it is the case that domestic violence is a criminal act and that it should be dealt with as other criminal acts, there are tremendous societal issues that must be addressed.

You see, that's the difference between Dalton McGuinty and the Ontario Liberals and Harris and the neo-cons. On this side of the House, and I have to say this very clearly, Dalton McGuinty and the Ontario Liberals know and understand that the responsibility of government is more than a punitive approach. That's all this bill does, which is a part of the process, but only a part. To me, the real measure of good leadership is to address the complex layers of community support, the social impact and the generational effect.

I want to outline various areas that in my view are completely missing from the Harris government agenda, and those areas of community support for families of domestic violence are what's missing.

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The first aspect that's really important is safety—shelters, counselling, support in rebuilding of lives.

When they do proceed to the justice system, there is often a need to access legal aid, and that is exactly where the Conservative neo-cons don't get it.

There's another important aspect, and that is educational programs that are of value to break down the most difficult aspect of domestic violence; that is, the changing of attitudes in young people.

These are the areas, in my estimation—and I believe Ontario Liberals understand—that truly count. Again, that's where the Harris government is missing in action. It's this government that has cut funding to women's shelters across this province, the first point whereby women and children need assistance. Women's shelters are probably the most crucial point when families are fleeing from abusive situations.

I would like to point out to the Conservative members one of the realities that exist in my community of Sarnia-Lambton. The Women's Interval Home there has seen an increase in the women and children they house. They are funded for 17 women and children, yet they always have 20 to 25 they are dealing with on any given day at the facility. In other words, they don't get the operating funds to meet the needs. They can only afford one crisis counsellor on staff. It's not adequate to deal with the urgent and intensive need in the crises they are experiencing.

That's what I hear. That's what's out there. That is the reality. This government decides that they have to cut these areas, but they'll bring in a bill that has a punitive aspect in the Criminal Code so that it's going to appear that they are going to be tough on crime. The long-term effects require counselling staff, and that's what is missing.

Second-stage housing is needed. As these families move back into the community, they need second-stage housing. Once they are out of second-stage housing, they need housing that is available with rent geared to income.

The interval home in Sarnia is being stressed out to the max because there's another aspect: they are constantly fundraising to meet the needs. So their staff are constantly being stressed not only to deal with the interval home itself, but also to raise money. In our area, they used to raise money through bingos and Nevada tickets. Well, now Sarnia has slot machines and it's got a casino, so they're competing. They are actually getting direct competition from the province, and it has impacted on their fundraising ability. I have to say that this has cut 40% out of their fundraising initiative. It had been perceived, at least, that the fund from the Trillium Foundation was going to assist this gap, was going to fill this gap, but it isn't there for them.

Another aspect that's been cut is the education and prevention program. This was one of the most valuable programs, because they went into the schools and talked to young people about the unacceptable fact of family violence. This multifaceted, complex issue, with tremendous community ramifications—and I'll say it again—and generational impact has got to be addressed at the community-based level, at the point where families are

most vulnerable. This government isn't addressing that. That's where it's missing. The government says that money is not a key, but in these areas it is a key and it is important.

There are two aspects under this legislation that are quite curious, and it's recycling. It's like some of the other legislation that comes down. This new act permits the seizure of weapons. I don't know if the minister knows it, but this provision is already available to judges when setting conditions for bail under the Criminal Code. It's already there. There's another aspect of the act that is being recycled. The new act permits the removal of the alleged abuser from the home, and of course this is already in the act as well. One of the key areas that's missing is the exact place where it's going to make the biggest difference, at the community-based support level. It isn't there, at least not at the level it should be if we're really going to move forward.

The Women's Interval Home in Sarnia really assists in helping many families. In the end, those women and those children are provided another opportunity because, you see, government is about providing opportunity. Providing opportunity doesn't mean you just instill a punitive measure in the Criminal Code and that's going to fix everything. That's not what opportunity is about. Opportunity is about meeting the needs at the stages that are going to directly impact on these women and on these children and giving them the opportunity to rebuild their lives.

This bill is only single-faceted, and this is where the biggest difference is between the Conservatives and the Liberals in Ontario. Because we believe in the community and that the community support has to be there. You have to understand that, but you may not understand what community support is needed because you don't consult. You don't talk to them; you know it all. You have an immediate understanding that, like the advertising, it's all about how are we going to spin this to make us look good? It's not about the reality that exists and how we are going to address it in an effective way; not just efficient, where you're just cutting dollars, but, how are we going to address it in an effective way?

The Speaker (Hon Gary Carr): Further debate?

Mr James J. Bradley (St Catharines): For the second half of the allocated time I would like to speak on this legislation. As our members have indicated on many occasions, we're supporting this as a small step forward in the area of dealing with domestic violence. But the reason that we take time to debate this legislation, which always annoys government members for some reason, that we should dare to take some time to debate legislation—they just want this whipped right through without any consideration because it's so great. They look for our co-operation. I've never heard them give any credit when there was that co-operation, so we have to recognize that. But we will be supporting this particular initiative.

The reason we've spent some additional time is that this is a very important problem and this is only one step or one aspect that we're dealing with at this time. I think

we recognize, for instance, that there is a requirement for an investment of funding. We often don't want to hear that. People say, "I don't want to see money spent," and the government likes to talk about that. But if you're serious about undertaking solutions to some of the problems, then it requires an investment of funds. Otherwise, don't talk about solving them.

There's a lot of talk about victims' rights on the part of this government, yet the victims' rights office has really not received the kind of funding that's necessary to carry out its responsibilities appropriately.

1630

I see that the Premier will be sending out—I don't know whether under his name or the Treasurer of the province's name—\$200 to most households in the province. The backroom boys have a big smirk on their faces because they think this is very clever. They learned it from Jesse Ventura in Minnesota, Republican Governor Ridge in Pennsylvania, and a few other places; they got the idea. It's going to cost several hundreds of thousands of dollars, if not millions of dollars, to mail out these cheques. Of course, a lot of people are always happy to see money they weren't necessarily anticipating showing up. But upon reflection, most people would prefer to see the government, which has already cut taxes considerably, invest this kind of funding in such things as protection of the safety of our water in the province, our health care system, which needs a lot of money, and, in this specific case, dealing with the issue of domestic violence because it is an important issue.

I think of first-stage and second-stage housing in our communities and how they are crowded at the present time and chronically underfunded. Women's Place in St Catharines, and Bethlehem Place—Women's Place being first-stage housing, emergency housing, and Bethlehem Place second-stage housing—are both having to go out to try to fund-raise. You might say it's reasonable that organizations should fund-raise. Let me tell you that they're out there competing with virtually dozens of other organizations in our communities that are also trying to raise money. There's a bit of donors' fatigue taking place out there as people on a daily basis get telephone calls at home or pleas through the mail for funding, or simply are asked to participate in golf tournaments or dinners or other initiatives designed to raise funds.

It shouldn't be that way. If these organizations are providing a service which is genuinely needed, then it seems to me that all of us should participate in the funding of it. If any service out there isn't needed, then obviously it should not receive the funding.

I think first- and second-stage housing is absolutely essential. I know that Women's Place in St Catharines is over capacity most of the time. I know that Bethlehem Place has far more people who are applying for second stage housing to try to get their lives back the way they would like them to be, and a new start in society, and no an ongoing problem in terms of finances for society. Both of these have been successful endeavours, as have

others in the Niagara region, but both are in dire need of funding.

They must just shake their heads in disbelief when they see the government engaging in a public relations exercise of mailing out \$200 cheques to people. Yes, it's going to gain some popularity as people, as I say, receive something they didn't perhaps expect they were going to get. But there are so many areas where we as a Legislature have a role to play, and one of them surely is in domestic violence.

Frivolous spending by government is supported by virtually no one I know of. I don't think people want to see that. When they see \$185 million spent on government advertising—every time you open up your mailbox, there's Premier Harris's smiling face on a letter from the Premier, and the taxpayer is paying for it. I know the packroom boys and some of the government supporters have big smirks at this. Oh, aren't they clever? They're talking over the news media directly to the people.

I don't know how, in good conscience, a government which pretends to be so concerned about the expenditure of tax dollars can continue to undertake the kind of spending on what any objective observer would see as partisan advertising using taxpayers' dollars. I don't know how they can do it. I'm still waiting for the Ontario Taxpayers Federation, the Canadian Taxpayers Federation—there's another national organization; Jason Kenney used to be involved in it before he was an Alliance candidate. There are some people who think that maybe these organizations are just fronts for the Harris Conservatives or the Alliance—or the Reform Party, whatever you call the people—because they seldom seem to be critical of those kinds of political parties. The silence has been deafening. The cat's got their tongue.

My friend Frank Sheehan, who used to be the member for Lincoln when it was called Lincoln, is a well-known individual in our community. He used to be on the board of education, the Catholic board, at one time. He was the chair or the president of the taxpayers' coalition locally. They used to watch the local government to see that they weren't spending money, they felt, inappropriately. I'm going to phone Frank and ask him if he's seen the latest advertising from this government, because there's money spent on education pamphlets or the Premier's voiceover saying, "Look at all the land we've got now that's so nice for the environment"—they look bad on the environment so they have to compensate for that—or whatever they happen to be advertising at one time or another. Every time you turn the radio or the television set on or open the newspaper or get a pamphlet from the mailbox, it's the Harris government squandering hard-earned taxpayers' dollars on government advertising. But they will not invest in initiatives which I believe would be very helpful in avoiding family violence situations.

Let me get into one other one, as an opportunity, as I mention this. There is some advertising going on now by the ministry of gambling. That's Chris Hodgson's ministry; I call it the ministry of gambling. You'll remember they were trying to force on communities across Ontario

the new Mike Harris gambling halls. What were they called? Charity casinos. They wanted 44 of them going seven days a week, 24 hours a day, 364 days of the year. Surely they would close at least on Christmas.

Hon Frank Klees (Minister without Portfolio): Maybe not.

Mr Bradley: "Maybe not," says the member for Oak Ridges. Then 365 days in a year, gleaning as much money as they can from the most desperate people in society. Let me tell you, that's one source of family violence, people who end up going to the local so-called charity casino, blowing the paycheque and then coming home cranky, and the kids and the spouse are the people who feel that abuse.

There are some particularly repulsive commercials going on now. Some people think they're funny. They actually are accurate. I think it's for Woodbine. Don't they have the one-armed bandits there now, the slot machines? They show a guy sneaking away on his wife to go to the gambling hall of some kind, and they show somebody else who ties the bedsheets together and he heads out and goes to gamble. You know something? That's not far from accurate. What kind of message does it send to our society—when we're trying to pry people away from these family circumstances—to have them blow their money on gambling, particularly the addicted people or the most desperate people who feel they have no other way of getting it?

The point I'm making there is that can bring about an abusive situation. If the government was clearly serious about this, they would be trying to avoid circumstances and take preventive action when it comes to abusive situations.

This bill is one step. I want to say I'll support the bill because it's one step, but there are a number of other steps that have to be taken and that's why some of us are speaking at some length this afternoon.

Mr Marchese: I support the comments made by the members from St Catharines and Sarnia-Lambton, because they are very much in line with what New Democrats think and have been saying. I would add a couple of comments to theirs and would borrow from what Frances Lankin said just the other day in her remarks when she says, along with so much else:

"I don't want to say that intervention orders and restraining orders are of no use, but a lot of people have said that they're not worth the paper they're printed on. I think this bill tries to make them a little bit more worth the paper they're printed on. But you still have to look at where they are in the hierarchy of things: as I said, below bail orders, below peace bonds. If bail orders are more serious, if bail orders already have a Criminal Code offence attached to breaching the conditions, and if that hasn't stopped some of the men I referred to yesterday who killed their intimate partners, how is this restraining order going to?"

She's right. This is the question. We support the measure, but it does hardly any of the more important things that need to be done. We have a quote here that

says, "Only 10% of abused women call the police and only about 25% of abused women make it through the criminal justice system."

1640

Although this is an effort to deal with this issue that we support, we're saying you've got to spend a few more dollars. If you have \$5 billion of my money and the taxpayers' money to give away to the corporate sector, which no one asked you to give away, then you've got to find a couple of million to do more by way of prevention, by way of shelter, by way of housing, by way of helping those in the front lines, those 95 community organizations, do the work they need to do. They need support and money, and you need to listen to them.

Hon Mr Klees: I'm pleased to rise to comment on the remarks made by the member from St Catharines. As always, he makes his points succinctly and then drifts a bit from the subject at hand. I'd like to remind everyone in the House that we are speaking to Bill 117, which is An Act to better protect victims of domestic violence.

Let me say as well that I don't disagree with the member from St Catharines that this is not the answer in total, by any stretch of the imagination, to the issue of domestic violence in this province. There are some underlying concerns that we have to address, as a government and as a Legislature, but I think it is an important step, as the member indicated.

I think every member in this House has the experience of having constituents come to see us who are the victims of domestic violence, and in those circumstances our hearts go out to them. I think all of us in this House have felt the frustration that the system is not dealing with it and providing sufficient protection, whether it be the mother or the children who are subjected to those circumstances.

I look forward to this bill going to committee. Clearly there will be recommendations that come forward, from members opposite as well as from the public who will participate in that hearing process, that will help us to make this a better bill. It's not an answer totally, we understand, but it's certainly a very important step to addressing this issue of domestic violence in our province.

Mr Dave Levac (Brant): I want to thank the member from Oak Ridges for his very thoughtful comments and the invitation to seeing the bill go to committee. I think that's the right thing to say and the right thing to do. As the member for London-Fanshawe indicated, he too looks forward to seeing and hearing some of the recommendations that may result.

The reason the member from St Catharines went into what some people would like to characterize as a diversion is to try to make sure that the government of the day understands that the people of Ontario need to collectively look at the type of legislation we put before us and how it affects the people outside of the legislation. He was giving examples of how domestic violence is perpetrated, where it's coming from, the things we do in

our province that require this type of legislation to be enacted in the first place.

I think we have to be very careful that we don't narrow our scope to simply saying, "If we're not talking about this bill, we're on the wrong track." I would hope that all members of this House recognize that we must look at the overall impact, the things that cause us to make this type of legislation.

Again, we will say that the legislation will be supported. We will say that the legislation is a good first small step toward the things we want to have discussed. You will be seeing legislation in the very near future that starts to incorporate the things that are being talked about outside of the legislation being presented today. So the member for St Catharines was bang on by going outside of the bill, as all of us are doing. I hope the members are taking notes to say that some of the things that are being said on this side need to be discussed at all levels in order to help the people of Ontario wipe the scourge away from us that we so desperately need to do.

Mr Bart Maves (Niagara Falls): I rise to respond to the member for Sarnia-Lambton and the member for St Catharines. I appreciate that both opposition parties have suggested support for the bill. Everyone in the room realizes that this is a step along the way to being able to deal with domestic violence. No one ever believed in the beginning that this was a solution in and of itself, and I appreciate that. In the spirit of all three parties supporting the bill, I want to say a couple of things to the members opposite about some misunderstandings on the impact of the bill that their comments have shown they have.

First of all, they have continuously equated the bill with the criminal system. In fact, this is not a criminal order; it's a civil order and fills an important gap for women who are not yet in the criminal system. Secondly and perhaps more importantly, two Liberal members have spoken about how this bill recycles things that a judge can already order, such as weapons seizure or removal from the home. The fact is that these powers are only available on a Criminal Code charge, and this bill is extending these powers outside the Criminal Code and expanding the protection of victims in a significant manner. I appreciate their support. I think we have to have some clarity around some of these issues of what the bill is doing, because even though they are supporting it, it goes even further than they believe it does.

Again, I appreciate the support being offered from the members opposite. They know that since 1995 we've increased spending to prevent violence against women by about \$37 million. It's a substantial increase. I think we're in the neighbourhood of \$135 million right now. So we are undertaking some of the other areas they've asked us to look at.

The Speaker: Response?

Mr Bradley: The member for Sarnia-Lambton and I are very thankful to members for their comments on their remarks we made, and we hope the government was listening as to other areas in which they might become involved in solving the problem.

I had a chance this summer—I do this on an ongoing basis but specifically when the House is not in session—to meet with people who are involved, in this case in first-stage housing but also in second-stage housing. They talked, from a frontline basis, about some of the problems they confront. There are problems with such things as intimidation of victims of violence within the court system. They talked about bail conditions out there for people, the access the abuser might have to the abused in some way or another, how long it takes a case to go through the system, the lack of what they believe to be adequate legal-aid funding, the fact that justices of the peace should have mandatory continuous training regarding domestic violence with an emphasis on bail hearing issues and peace bonds, in addition to proper training regarding the jurisdictions of other courts so victims are not incorrectly referred to other areas of the justice system. There are a lot of recommendations they would have in this regard and in how the courts work. Child support orders and whether they are actually followed through with—a point of privilege regarding that was raised by the member for Windsor-St Clair today.

There are a number of issues out there to deal with. I want to see this bill passed—I'm sure all members of the House do—and I want to see further legislation forthcoming. But I also want to see the necessary funding invested in the system to ensure that what is contained in legislation and regulation will be there in reality as well.

1650

The Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): The halls are getting kind of quiet out there this afternoon. I guess a lot of people are starting to head off for Thanksgiving weekend. I thank you for the opportunity to rise this afternoon to take part in the second reading debate on Bill 117, the Domestic Violence Protection Act. I'd like to once again thank the honourable Jim Flaherty for his leadership in bringing forth this important legislation. We promised this legislation in our platform and again in the throne speech, and we're delivering on that promise.

I'd like to start off by thanking my caucus colleague, the member for Peterborough, for his insightful remarks. I'd like to thank all those people who spoke today, all the members who have contributed to the important debate on this bill.

650

The legislation is in response to one of the most disturbing types of crime there is in our communities: domestic violence. Not only is domestic violence a crime against the person who is abused; it deeply affects the children who witness violence in their family. This legislation is another important step in our goal to get violence completely out of the family environment.

The Domestic Violence Protection Act is designed to make restraining orders clear and more enforceable according to provisions of the Criminal Code which could mean stronger terms and conditions in the release of alleged abusers. The act would clearly define what

domestic violence is, including assault that consists of the intentional use of force that causes fear for safety, and does not include acting in self defence. It also includes an intentional or reckless act or omission that causes bodily harm or damage to property.

As well, the act would make restraining orders available to a broader range of relationships, including people who are living together in a non-common-law arrangement, same-sex partners or former partners, and relatives who are living together, such as elderly parents and their children. The act would also protect people who are dating. All of these areas are not currently covered by the existing legislation.

The act would allow victims to get restraining orders quickly, 24 hours a day, seven days a week. The act also makes restraining orders easier to enforce by clearly listing specific prohibited activities for the alleged abuser.

There are also provisions that allow law enforcement officials more power to seize weapons. It also permits the removal of the alleged abuser from the home.

The Attorney General's office will make the necessary administrative changes that will strengthen this act if it is passed by this House, such as standardizing forms that would clearly set out specific conditions for the alleged abuser, making the order available to police and serving it to the alleged abuser more quickly, expanding counselling for alleged abusers to help prevent further violence, and continuing education and training for police, court staff, crowns and the bar on domestic violence issues and restraining order enforcement.

If passed, abusers will face stronger terms for detention and release, and victims of domestic violence will be better protected with this legislation.

During the last five years, our government has taken a leadership role in helping to protect all victims, including victims of domestic violence. We've addressed the needs within the justice system by creating an expanded court for domestic violence cases. Right now, it is the largest and most comprehensive of its kind in Canada.

To help children deal with the sometimes extremely difficult justice system, we've expanded child-friendly courts which are specifically designed with the needs of child victims and witnesses in mind. These courts are used primarily in cases involving child abuse and domestic abuse in which a child is a witness. Providing a less threatening environment reduces a child's anxiety and enhances their ability to offer the court a full and candid account of their experiences.

In the area of legal aid, protection from domestic violence is the highest priority for family law certificates from legal aid. The legal aid system provides 90 advice lawyers who visit shelter and community agencies to provide free advice to our public. Two hours of emergency legal advice is available to eligible victims of domestic violence by direct referral to a lawyer of the victim's choice. This program is administered through shelters and community organizations. In 1998-99, almost 3,000 women received assistance through our emergency legal aid.

We've also created the specialized services for abused women in partnership with the Barbra Schlifer Commemorative Clinic. This pilot project assists women who want to leave abusive relationships by providing direct legal services, advocacy and information about family law, landlord-and-tenant and immigration issues.

We've also expanded programs such as the victim/witness assistance program, which guides victims through the justice system and provides safety planning and community referrals.

As well, we've expanded the victim crisis assistance and referral program, which is a community response program providing immediate help to victims of crime or disaster 24 hours a day, seven days a week. It is a team of accredited, highly trained volunteers providing short-term, on-site crisis assistance to victims, and it also refers them to community services for longer-term support. Managed by community-based boards, there are 26 of these sites across the province that work in partnership with local police services.

Under our government, we have expanded the number of supervised access sites which will provide safe distance between non-custodial parents and their children. They are part of our ongoing commitment to ensuring the well-being of Ontario's children and families. The number of court districts served by these access programs has doubled from 14 to 36 under the leadership and guidance of the government.

We have launched the SupportLink program, which will be expanded by as much as 10-fold. Currently, two successful SupportLink pilots are providing wireless phones, programmed to access 911, to victims of sexual assault, domestic violence or stalking. Safety planning assistance is also an essential component of this service. I would like to thank Ericsson and Rogers Cantel for their continued support of this program.

But we understand that more needs to be done in halting the number of domestic violence incidents in our communities. In the 2000 budget, the government invested in safe communities and supports for victims of crime, including providing \$10 million annually for programs to help women and children who have experienced domestic violence, as well as investing \$1 million to permanently establish the Office for Victims of Crime, which legislation has been introduced just a week ago.

The government has committed \$50 million for rent supplements to help house up to 10,000 families and individuals, with 445 of these units allocated to victims of domestic violence. Victims will receive priority consideration for the remaining units.

The budget also provides for \$2 million annually to establish a specialized OPP team to fight crimes that target senior citizens and \$5 million annually for a prevention and intervention program to help teachers identify children at risk of neglect or physical or emotional harm.

We are also making the community policing partnership program permanent and increasing its funding to \$35 million per year; and hiring 165 new probation and

parole officers as part of a new \$18-million, strict-discipline model for community corrections.

In Simcoe North, I had the pleasure to announce Huronia Transition Homes in Midland, an amazing organization that helps women and children break free of domestic violence. This organization will receive \$62,500 to hire transitional support workers. These workers help abused women to develop transition plans and become familiar with resources in their own communities. For example, a woman could be assisted with accessing local community counselling and educational programs. This is part of the Ministry of Community and Social Services injection of \$10 million in annualized funding to enhance supports for abused women and their children.

As well, in Orillia, the Green Haven Shelter for Women recently received additional funding of \$40,000 in operating funding for the same type of help.

Work is now underway to establish these transitional support programs for abused women and their children as well as early intervention programs for child witnesses of domestic violence. I have been informed that the Ministry of Community and Social Services is in the process of choosing service providers, such as women's shelters and counselling agencies.

Our government has met with provincial and national women's organizations, child welfare groups, front-line violence-against-women service providers and other experts in the community. Our government has listened and we are responding to their calls for additional programs to help women and their children establish a life free of domestic violence.

There are over 40 projects and initiatives in the areas of safety, justice and prevention to help meet the needs of abused and assaulted women in Ontario. In fact, this government is spending more to prevent domestic violence than it ever has in the past.

We now spend almost \$135 million, an increase of over \$37 million since 1995. A further \$5 million will be added next year, bringing the total to approximately \$140 million. I am proud of the actions our government has taken to make our justice system more responsive to the needs of victims of domestic violence. They are important components that support victims and hold abusers accountable for their actions.

While we are doing all that we can to help victims and to curb the number of domestic violence incidents, the provincial government cannot do it alone. There need to be some changes and support from the federal government. More changes are needed to the Criminal Code. Recently, the Attorney General called on Ottawa to change the Criminal Code. Ontario has asked the federal government to add a specific offence in the Criminal Code for violating a restraining order. Although the Criminal Code would be used to enforce breaches, a separate offence would allow for more timely prosecution of breaches and would send a clear message that domestic violence is a serious crime.

Secondly, we'd like the federal government to toughen up bail conditions by reversing the onus of proof in bail

proceedings in domestic violence cases so that accused individuals would have to show that their release would not endanger the victim.

There is much more to be done in this area of curbing the amount of domestic violence. This bill is one more step we are taking to protect victims and hold offenders accountable. We made that promise in the Blueprint and again in the throne speech. We are keeping those promises. I thank you for this opportunity today.

The Acting Speaker: Questions and comments?

1700

Mr Caplan: I'd like to congratulate the member for Simcoe North for his comments. I am pleased that he will be supporting the legislation. I believe that all members are going to be supporting this legislation.

I want to point out to the member—and I know he did touch on this in his comments—that this really should be the final step. This should be the last piece of the puzzle when it comes to fighting the battle against domestic violence. I think the member made some factually incorrect statements, saying that the current government is spending more and supporting more programs for domestic violence than ever before. I don't believe that is correct, and perhaps the member will want to clarify his comments. I know, for example, Speaker, and I know you would be aware, or all members of this assembly should be aware, that previous to 1996 the provincial government used to support something called second-stage housing, which was to enable women and children to get out of shelters.

The problem is that you can have shelters and a place or emergency transition help, but in order to get out, in order to get a stable community life, in order to get back and well integrated and to have some well-being, you need that transition housing, you need the ability to do that. Yet the provincial government eliminated all funding for that type of housing. It was a lamentable decision and something I know this member touched on in his earlier comments and perhaps will lobby his government, lobby the Minister of Community and Social Services, to restore the funding for that very much needed program.

On another matter, back in 1998 there was the Mayes inquest; 213 recommendations from the coroner's quest about domestic violence, and virtually all of them have been ignored, particularly the community-based ones. I would really like to hear the member comment on how the government is listening when they don't even listen to the recommendations of a coroner's jury.

Mr Marchese: The member for Simcoe North speaks almost smugly about the millions of dollars they're spending here and there. He makes it appear like they've plugged all the holes where they need to.

I expect the government, in a surplus situation, where there are billions of dollars coming in, to spend more efficiently, effectively and meaningfully in areas of importance to the Ontario public. They're not doing that. They're wasting my money, the taxpayers' money. One billion dollars of my taxpayers' money—ours—is going to you, taxpayer, to give you \$200 back so you can feel

good. One whole billion dollars, in the aggregate, is wasted to make you feel good. And then they tell you, "It's not my money; it's your money. We want to give it back to you. However you spend it, even if you want to give it back, that's not of concern to me, because it's your money. You can send it back if you want or do whatever you want with the money."

In the aggregate, it's \$1 billion wasted, when there are so many things in our educational system that need to be fixed because you broke it; when there are so many things in our health care system that need to be fixed because you broke it; and so many things in areas of social need, like housing, that you disconnected from completely that need to be fixed, and you broke that too. You've got the money now, and they expect you in a good economy to do all those meaningful things so that our society becomes human once again.

I've got to tell you, in the next recession, when it goes like this—and it will again—and there is no money because you've given \$5 billion of my money to your corporate buddies, there won't be any money left to fix the social problems that you have caused. It is a disgrace to have you in government.

Mr Joseph Spina (Brampton Centre): With due respect to the member for Trinity-Spadina, I think the only thing that's broken was his head when he fell off his bicycle, because the reality is that the \$5 million my colleague from Simcoe North spoke about, in terms of the context of the program enabled by this bill, was to help abused women break free of domestic violence, and it's not putting money into corporate hands. Here's a specific example, I say to the honourable member for Trinity-Spadina. Yesterday it was announced that the Salvation Army family resource centre in Brampton will receive \$133,439 to hire transitional support workers.

The member says to us as members of the government, "We came here to make things efficient. We came here to make things effective." Well, do you know what? That money goes towards the volunteers and the workers who are specifically designed to help the men, but most particularly the women who need the assistance—not bricks and mortar, not buildings, but people who are there to help people. That's what this bill is all about. I fully support my colleague from Simcoe North.

And fix your bicycle, member from Trinity-Spadina.

Mr Maves: The member opposite outlines, actually, one of the key differences between the government of the day and his party. He thinks all the taxpayers' dollars are his and that he should keep them and he should spend them as he sees fit. We think that taxpayers' dollars are theirs and the government should take what they need to spend on the services that the society as a whole agrees they should have.

Because we know so much better than his party how to govern in order to make an economy work—he's absolutely right that the dollars are now rolling in. Because the dollars are now rolling in we are able to spend billions of dollars more on health care, for instance. We replace the money the federal government

takes out with our own dollars, plus we add dollars on top of that. It's because we brought in things like tax cuts throughout the economy that the economy has boomed—not solely for that reason, but that is a large piece of the pie here. It's also because the economy's booming, money is rolling in; that's why we're able to spend an additional \$37 million in this sector of domestic violence.

I want to talk about the member, who gave a very good speech, a very reasonable speech. He has paid attention closely to the bill. I'm not going to be able to find his riding—it's Simcoe North. He did give a good speech. He talked about some key things: the availability of orders 24 hours a day, seven days a week. That hasn't been the case up to now. I think that's very important.

He talked about the fact that there will be stronger terms for detention and release, and victims of domestic violence will be better protected with this legislation. That's also very important. The member opposite has done a very good job outlining the key components of this bill and how it will help the situation in Ontario.

The Acting Speaker: Response?

Mr Dunlop: Public safety and security has been a priority of our government. We expect that everyone in Ontario should feel safe in their neighbourhoods, their places of work and on the streets and highways, but above all, no one in our province should ever not feel safe in their own home. Any type of domestic violence of any kind is completely unacceptable.

As I mentioned the other day during the debate when I made a comment, I witnessed in my municipal career how the attention to domestic violence evolved. I remember this lady—and I'll mention it again—Mrs Anne Monkman; she was the chair of the county of Simcoe social services committee. She actually pleaded with the members of Simcoe county council—this is back in 1993—to provide assistance to a women's shelter in Alliston, Ontario. I can remember some of the comments that day. I hadn't heard a lot about domestic violence, but I remember a lot of the county councillors really not wanting to provide any funding whatsoever for these programs because they thought, "These things are going to start springing up all over the place, all across our county." And of course they did, and they've served a great use for a lot of years. An awful lot of people have had to go to those homes, but they have helped a lot of families.

But we're a long way from being finished with domestic violence. I understand this is a major step. I listened to the comments from our members across the way. I know it is an important step as far as we're concerned. As we continue on over the remainder of this term of government, and as we debate this further and go through committee, we are planning on making it—as I said earlier, one step now but eventually we will completely eliminate domestic violence in the province of Ontario.

1710

The Speaker: Further debate?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I will be sharing my time with my colleague from Brant.

I'm happy to participate in the debate today. I do believe that domestic violence is a very serious problem in the province of Ontario. That there is legislation before us which will attempt to address that I think does give us in this House an opportunity to look at the legislation and critique it from the perspective of how effective its implementation will be, how many women and children and men will be spared from abusive situations because of this legislation, how many lives indeed may be saved because of this legislation. So it has been from that perspective that I've reviewed this legislation and would offer some comment to the members of the assembly this afternoon.

I have listened very carefully to the members of the government who have made presentations on behalf of the bill and I have to say that I'm somewhat disturbed and puzzled by some of the presentations that have been made to the House this afternoon. The member for Peterborough suggested there should be no debate on this bill; it should be 15 seconds and we should leave this room and just support it. I want to say first off that I do intend to support this legislation because I believe that it does include components which will assist individuals who have been abused. But I want to say very clearly today as a member of the Liberal Party of Ontario—and I know that my leader, Dalton McGuinty, shares my view—that this is a very, very small step in addressing a very serious issue. So to the member for Peterborough, who suggested we should just talk about this for 15 seconds, I beg to differ, because I believe there needs to be a lot more done in order to prevent domestic violence.

I believe this bill misses some opportunities that the government has in a very concrete way to provide tools for individuals who find themselves in abusive situations to remove themselves from those situations. I think debate on this bill is very important. I would think the government would want to understand and to hear from members in this House who hear from their constituents the problems that exist in Ontario when people are abused. That's why I'm standing in the House to speak to those issues today. I support it because I believe it is a small step in the right direction, but I'm also here to offer some considerations that I believe the government needs to pay attention to if it is really to pass meaningful law that will truly assist people in abusive situations.

The first issue I think we need to address is the fact that this government, Mike Harris's government, has cut funding to rape crisis centres. This government, Mike Harris's government, has cut funding to women's shelters. We've heard over the course of the discussion this afternoon about the number of dollars that this government is putting toward women's shelters. But very clearly what I'm hearing in my constituency, from my colleagues, from representative groups, people who work with women who have been abused, who understand the seriousness of the problem and are in contact with people

who work on the frontline, indicates to us that government support for women's shelters is not sufficient to meet the need.

There are more women using shelters today than ever before, and the resources that flow to those shelters have not increased at the same rate as the visitors. This government needs to address that. They need to address the fact that many of the women who go to shelters are poor and they arrive in that state. They don't have the very basics of life.

Another very serious issue is the fact that this government has cut second-stage housing, the support of second-stage housing, the ability of women to make new homes with their children. Therefore, because this option has been removed, women are forced to stay in abusive homes. They have no other option. They cannot afford to take their children out of that abusive environment.

That is a very serious issue for me as the children's critic. We know in society that children who live in abusive environments very likely grow up to be abusive themselves. I would suggest that by removing second-stage housing, this government has not recognized this and has removed an opportunity to change the way children think and understand life as they know it. There is no place for mom to go, if mom is the one being abused. She must stay in her home and the children must witness the abuse. There is no option for mom to leave.

These are critical services that this government has chosen to either reduce or, at the very least, not support. We need that there is in the province. Yet this government this week is mailing out \$200 cheques. The Minister of Finance in the budget this year said, "We have more resources than we planned, we have more resources than we need to provide the services to the people of Ontario, so we are going to give people a \$200 cash dividend." I suggest to the members of the government that you are not providing all of the services and supports to the people of Ontario that you need to. I would suggest that some of the \$1 billion that's going to be mailed out this week in tax dividend cheques should be directed toward some concrete measures that will assist people who find themselves in abusive relationships.

On average, 40 women a year are murdered at the hands of their partners. These are women who obviously remained in a relationship because they felt they had no other choice. I was very moved the other day when I heard the member from Beaches-East York, who in a very touching way read the names of the women who have been murdered in this province. She put a face to a name that we read in the paper. I was in my office and I had to drop what I was doing and listen to the member from Beaches-East York. I would suggest that's what the members on the other side of the House need to understand.

This afternoon we've heard some wonderful claims about efficiency: "We inherited a civil service and a government operation that was run very inefficiently and we've come in here and now we're running things

efficiently." But I say to the members on the other side of the House, as efficient as you may think you are, women are dying because they are not able to access the kinds of services they need; not just women but women and children are dying. Think about that when you talk about tax dividends and returning the hard-earned tax dollars to the people of Ontario. Think about the women and children who need supports in their communities and don't have them because your priority has been to provide a dividend, which sounds great in the media and gets you front-page coverage for a few days. But I have to say it really is very sad when a few days later we see the kind of coverage we have about women who have been in difficulty and been murdered.

1720

The Speaker: Questions and comments?

Mr John Gerretsen (Kingston and the Islands): I'd like to compliment my colleague from Hastings-Frontenac-Lennox and Addington for an excellent speech, as have been most of the speeches on this bill this afternoon. As she indicated, we will be supporting this bill because it's highly needed. But it is but a small step. What really needs to be done is set out in the declaration of commitment that the two party leaders, the third party leader and my own leader, Dalton McGuinty, have signed and that the government member refused to sign on behalf of the government of Ontario.

Let's review very quickly what that declaration of commitment is, to really put some meat on the kind of action being contemplated in this bill and to really deal with the issue of domestic violence. The declaration of commitment stated that a \$50-million fund be established to ensure adequate community-based services and supports to women and children—that's what is needed—and that a \$50-million allocation be made to ensure that legal reforms and services are there for the individuals who need these services. For some strange reason, the parliamentary assistant to the Attorney General refused to sign that.

We all know that the number of legal-aid certificates that are now issued with respect to family matters, domestic violence etc is greatly down from five or six years ago, which basically means that a lot of people who are involved in family court activities are simply no longer getting the adequate kind of representation they were able to obtain previous to that.

We need more than just a bill. We need the resources to make sure the kind of activity the bill is talking about can be dealt with in an effective and efficient way in Ontario.

The Speaker: Further questions and comments? If not, response?

Mrs Dombrowsky: I thank my colleague from Kingston and the Islands for his generous comments. I am very happy to be able to stand again and indicate that I believe that while the bill will be supported, I hope that when it continues its journey to becoming a law, the members of the government will allow and consider the input and implement the ideas that will be offered in

terms of amending this to make it a really effective tool in addressing a most serious issue, that of domestic violence.

I think it's very important that we understand why we are here. We believe the bill is a small step in the right direction, but we certainly believe there are many additional steps that need to be taken, that the government needs to recognize and show some leadership on behalf of those who are not able or in a position to be advocates for themselves. I think that is what has touched me most when I have reviewed some of the individual cases that have very sadly brought this issue to our Legislative Assembly for consideration.

I think we have a serious responsibility to very critically consider what we're doing here. Is it all it should be? Is it enough? I think not. So my challenge to the members of the government is to commit to doing all they can to make it the most effective bill against family violence that it possibly can be.

The Speaker: Further debate?

Mr Levac: I am thankful to the House and I am thankful to the citizens of the riding of Brant for allowing me to make comment on Bill 117, the Domestic Violence Protection Act.

I'd like to draw to the attention of the House the background that I have in education of over 21 years. As a teacher and as a principal, I had to witness and be part of the discussions and the debates that are directly affected by this particular bill.

I will start initially by saying to you and to this House that Dalton McGuinty and the Liberal Party have indicated their willingness to support this bill. Anything that we can do to stop the scourge, we will definitely support.

In my background as a principal and an educator, I disturb myself by bringing my memories of some of the children and some of the parents I've dealt with over the years, but it is nowhere close to the disturbance and the torture that women and children have had to suffer at the hands of men. I was very honoured and pleased yesterday to ask for and receive yesterday unanimous consent that we designate this month as removing of all child abuse in our province. I was very proud to be a member of the Legislature yesterday when everyone recognized and understood that there was a need, unfortunately, to bring attention to that problem.

Some 19% of adult women are poor; 75% of all domestic violence against women is not reported to the police. Of the 25% of the cases that are reported, this bill will not affect every single one. So I repeat: As much as I support the bill, it is a small step.

On the other side, I must say that two members of the Mike Harris government have made comments that impugned this House with regard to our intentions as an opposition—one to the Liberal side, one to the NDP side and one holistically. What we heard was a member saying, "If anyone does not support this bill, I am sad to say that you must be for violence against women."

Speaker, I was about two seconds from standing in my place and saying that should not be accepted. However, I resisted because the members on the other side, when they heard that from their own member, cringed. To you, I say thank you for at least recognizing that that kind of statement cannot be tolerated in this House. That was not an acceptable statement from a member. To imply that anyone in this House or, for that matter, anyone in this province, would accept violence against women, and to suggest that we did not accept that bill—you will see in Hansard that he implied that we were for violence.

For the other member, to suggest that somebody would get hurt falling off a bike and hurt his head—as much as that may be a joke, I personally am involved in a situation where an adult can no longer operate in this province because of getting in an accident and falling off a bike. There are things that should never be said in this House, and we should not accept them from any member.

Those were two members. We would not say those things. Let's make a contrast between the types of thing that get said, and I hope the people of Ontario take note of those things. We do not make those differences lightly. I am proud to say that there isn't a member on this side that would make either one of those comments.

Women are asking for expanded helpline service so that women throughout the province—not just in any city but across the province—can access these services. Currently, of the 25,000 calls answered by the helpline, it is estimated that another 50,000 to 75,000 calls are missed. This government has cut funding to women shelters across the province. They're going to contrast that with words that try to suggest other.

When this bill was introduced I took the time to contact the stakeholders in my riding. Let me provide you with some contrast to what we've been hearing about defending their record against domestic violence.

1730

We do not deal with the 75% of women who do not report abuse. The government does not recognize or deal with the devastating effect of emotional, psychological, sexual and financial abuse. Because 19% of adult women are poor, they are already susceptible to abuse, and you don't need a degree to figure out why. If you are poor and have no money, you have to stay in an abusive setting. We need to kick the roots out of those problems.

We did not deal in this bill with the fact that shelters across the entire province are operating over capacity. The example I want to cite for the riding of Brant is the Nova Vita Women's Services' occupancy rates for the fiscal year 2000-01: in April, capacity 106%; May, capacity 112%; June, 116%; July, 120%; August, 138%; September, 123%. In the entire year, there was an overall average occupancy rate of 119%. We are now having Nova Vita pressed to the limit. And guess what? There's more. Since this current government was elected in 1995, Nova Vita has lost \$464,000 in funding, the majority of which went straight to the shelter.

What's important to designate is that this was a progressive and visionary group. They had a men's program

to stop the abuse and its funding was eradicated altogether; \$30,000 for a men's program to teach the men to deal with their anger and to teach the men to remove that stigma for their children, because they witness that crime.

During all of that time from that cut, from 1995 to now, we now see an average occupancy rate of 119%.

It doesn't deal one iota with the critical lack of long-term, affordable housing for women and children. Brantford and Brant county do not have any second-stage housing. We know that this is an effective program to assist women and children in crisis because they get out of the shelter, they move on with their lives and they don't go back to an abusive setting.

The long waiting list for counselling programs at Nova Vita Women's Services to help victims of violence was not addressed in this bill. Currently a woman waiting to enter a counselling program vital to healing and to correct the damage caused by domestic violence must wait over five months.

I'm not going to throw out any more statistics. I'm going to appeal to the government to move immediately when this bill is passed to address some of the concerns we've raised today and some of the concerns that have been raised by the members for Sarnia-Lambton, Hastings-Frontenac-Lennox and Addington, St Catharines, Don Valley East, Scarborough-Agincourt and Trinity-Spadina. Please indicate clearly in this House that our intentions are to move rapidly, effectively, quickly and with the money to help us with the programs that are necessary.

I will speak personally for my riding that represents 19% overcapacity. These women and children should not, must not and cannot be left behind. Dalton McGuinty and the Liberal Party have said time and time again, "We will not leave our citizens behind." No one in the province of Ontario should be left behind. Don't use statistics of how much money you've spent when you know one person has been left behind. It is not acceptable this day and age and it is not acceptable, no matter what is said on that side, to justify any one person being hurt with domestic violence.

The Speaker: Questions and comments?

Mr Caplan: I'd like to congratulate the member from Brant, and the member for Hastings-Frontenac-Lennox and Addington for her comments earlier. I think both members have shown tremendous passion for wanting to do something, to take action to stem the tide of domestic violence. I know they reflect the thoughts and feelings of members of our caucus and of our leader, Dalton McGuinty; I would say of all members of the House.

While in debate you have many passions aroused, and I can understand the strong feelings. I would say particularly to the members on the governing side that we're prepared as an opposition, but also as leaders in our own right in the communities from across Ontario, to work with anybody who is serious and wants to address this problem, whether it be changes in legislation, whether it be providing supports to the community.

I can tell you that in Don Valley East, as in many communities that I've travelled to, the issues surrounding housing support are some of the keys that are identified not only by advocates but by clients, by families fleeing from abuse, by police, by just about every commentator, stakeholder and advocate; these are the real keys toward addressing the questions of domestic violence, to having a stable and positive quality of life. We will continue to speak about these matters. We will continue to advocate for housing, not just for shelter but for stable, decent, safe, affordable housing so that women and children have a place to go once they've fled an abusive situation.

I want to congratulate both members, as I want to congratulate all members, for their contribution. I certainly look forward to supporting this and for it to go to committee.

Hon Mr Klees: As the debate on this bill winds up, on behalf of the government I just want to thank all members for their participation in this debate. I want to thank the member for Brant for expressing his views, although I must say, in defence of my colleagues, to whom the member referred and railed upon, that I, on their behalf, take exception to the implication that any member on this side of the House would suggest that any party here would condone domestic violence. There may have been an unfortunate choice of words—and the member will know that on occasion that happens in this place—but I don't think it's appropriate that anyone in the province would be left with the impression that any member of this government would accuse any other member in this House of holding those views. I suggest to you—and I know, Speaker, that you will agree—that that is simply not the case.

We do have a long way to go in terms of addressing this issue. It's a serious one. We all know it is. We look forward to working together on this bill, to make it better than it is today through the committee process.

I want to commend the Attorney General for bringing this bill before the House. He has done a good deal of work on this, and I know that he as well looks forward to having the people of this province, the various stakeholders, various people with experience—unfortunate experience—come to the table as we hold our deliberations, as we hold our committee hearings, to help us refine this bill in the public interest.

The Speaker: Response?

Mr Levac: I'm going to take the words of the member for Oak Ridges for exactly what they were: maybe it was a faux pas. But I know that if he checks Hansard, the words were direct, and I suggest to him that that is not acceptable here. Not the fact? Read Hansard.

I'm going to leave that and say again that I really appreciate the member's comments that in a bipartisan way we will be able to enact legislation that prevents anyone in the province from being left behind in terms of help and assistance to victims of violence, and in particular women and children, and also that my challenge be taken up that we move toward more legislation and more assistance, taking the ideas that have been circulated on

this side of the House and turning them into legislation immediately, so that the people of Ontario can hold their heads up high and proud, the envy of the world, that we will not accept nor tolerate domestic violence in our province.

That will take a concerted effort by all members. It will take a concerted effort by the government to accept concepts and ideas that are being offered in an honest way by the opposition. It will take will take the men in this province to say no to violence against women. It will not be effective if we do not enact legislation in this province, mostly by men, to say no to domestic violence against the women and children of Ontario.

The Speaker: Further debate?

Mr Martiniuk has moved second reading of Bill 117, An Act to better protect victims of domestic violence. Is

it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for a third reading?

Hon Mr Klees: I ask that the bill be referred to the justice and social policy committee.

The Speaker: The bill is accordingly referred to the standing committee on justice and social policy.

Just before we adjourn for the week, it has been brought to my attention that last week, in introducing the pages, I mentioned that Mikhail Ferrara was from the riding of Hamilton West. I would like to correct that. Mr Ferrara actually lives in the riding of Hamilton Mountain. My apologies on that to Mikhail.

This House stands adjourned until 1:30 of the clock on Tuesday.

The House adjourned at 1743.

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Chatham-Kent Essex	Chair of the Management Board of		ministre sans portefeuille (Enfance)
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Chatham-Kent Essex	de gestion		Minister of Natural Resources /
Chatham-Kent Essex	Chudleigh, Ted (PC)		ministre des Richesses naturelles
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Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 10 October 2000

Mardi 10 octobre 2000

**Speaker
Honourable Gary Carr**

**Président
L'honorable Gary Carr**

**Clerk
Claude L. DesRosiers**

**Greffier
Claude L. DesRosiers**



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SCHOOL CLOSURES

Mr Richard Patten (Ottawa Centre): My leader, Dalton McGuinty, and the other Liberal MPPs from the Ottawa area are joining the chorus of distressed and dissenting parents, and now the entire business community, in their concern and distress about the closing of 20 to 30 schools in the inner city of Ottawa. We know that these closures are the result of the totally inflexible and rigid pupil accommodation formula that has been imposed on school boards across the province.

What we are seeing in Ottawa are, unfortunately, the worst aspects of this formula. It does not allow the differing geographical zones, such as rural, suburban, city and inner city, to formulate their own differing needs for accommodation. In the end, these areas are all pitted against one another to fight for scarce space that is available to their single board. The formula doesn't allow for important classes such as adult education, and ESL for the children of immigrant families.

By having the formula arbitrarily close our schools, we are facing the devastation of downtown communities on a scale that many American cities have already seen decades ago. In the Ottawa area, the formula is causing closures based on information that is five years old. Recent statistics are showing the opposite of what the board is planning for: a rise in the number of school-aged children.

I am proposing to the government, through a private member's bill, that there is a better way to approach the problem of accommodating our students here in Ontario.

The public board has written to the minister, pleading with her to allow some flexibility into the system. I hope he is listening.

GARTH CARTER

Ms Marilyn Mushinski (Scarborough Centre): Today I rise to mourn the passing of a true friend, a proud Ontarian and a stalwart of the Progressive Conservative Party of Ontario. Garth Carter was the immediate past president of my riding association in

Scarborough Centre. He was a tireless worker who assisted me in many ways during the past five years.

I will always remember Garth's soft-spoken and gentlemanly manner, his generosity of spirit, and his great love of his family and his community. Garth was one of the most selfless men I have ever known. It seemed to me that he was always giving and never took, that he always helped but never asked for help. He could always be counted upon to give of his time and his treasure to every worthwhile community endeavour.

Garth did not seek recognition but was recognized as one of the many unsung heroes who contributed tirelessly, without personal gain or reward, to make our province and its communities better places for us all.

Garth was a wonderful man, and I will miss him. Please join me in conveying the condolences of this House to Garth's wife, Chris, and his children Richard, Frances and Sandra, as well as his grandchildren, on their loss of a devoted husband, father and grandfather.

Thank you, Garth. I shall always remember you.

CANADIAN WOMEN'S FOUNDATION

Mrs Marie Bountrogianni (Hamilton Mountain): On Thursday, September 28, it was my pleasure to attend the Canadian Women's Foundation breakfast. The breakfast raised over \$80,000 to support the work of the CWF in its delivery of programs aimed at assisting women to achieve greater self-reliance and economic independence.

To date they have raised more than \$3.2 million and provided grants to over 450 organizations. The CWF delivers financial support to result-oriented solutions to problems of poverty and violence faced by women and their children. The foundation recognizes that these two issues are linked and delivers programs on this basis.

The violence prevention fund provides support to shelters for assaulted women, sexual assault centres, outreach to high-need women, and initiatives to help educate teens about violence in relationships before abusive patterns begin, and for projects that help coordinate violence prevention strategies between local community stakeholders.

Women in Motion, another non-profit organization, hosts conferences, seminars and mentorship programs for young women to alert them to the diversity of career options available to young women. This organization links young women with dynamic female role models in business and industry. Already they have reached out to

over 20,000 young people, and they are continually growing.

Women are 51% of the population and playing an increasing role in business and industry. Groups like the Canadian Women's Foundation and Women in Motion provide an important service to society. They also fill a gap that this government's individualist policy leaves unfilled.

On behalf of the Liberal members of this House, I say congratulations to these women who are fostering the leaders of tomorrow today.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Peter Kormos (Niagara Centre): Last week I joined students from E.L. Crossley Secondary School in Pelham at their picket line that they had set up as their way of drawing attention to and protesting the new absence of extracurricular activities.

I know these students. I know their families. I know their teachers. E.L. Crossley has excelled across the board and has an outstanding staff and an outstanding student body and families that are very supportive of the school.

For the largest part, these students understood that the impasse reached between teachers and the Ministry of Education is one that could be resolved immediately by this Minister of Education, that at the end of the day the responsibility for the reduction in extracurricular activities, which are an important part of any student's school year, has to rest firmly with the Minister of Education.

She has put the teachers in an untenable position with more students, fewer teachers, longer working days for those teachers and simply no time left for the preparation that's necessary for extracurriculars and indeed the participation in them.

I encouraged those students to—and I recognize their right of protest in a democratic society, but as well to put their views in letter form. I spoke with Troy Minor, their student council president, along with some of its executive and their principal and encouraged them to get their positions down in writing so that we can bring them to this Legislature and make this minister accountable.

COMMUNITIES IN BLOOM

Mr Bert Johnson (Perth-Middlesex): I rise today to congratulate the city of Stratford and the town of St Marys for winning the classic city category in the national Communities in Bloom competition. Communities in Bloom is a Canadian organization committed to fostering civic pride, environmental responsibility and beautification through community participation.

This year's winners were announced at the national awards ceremony held recently in Edmonton. The Stratford-St Marys team was chosen over teams from Manitoba, Alberta, Quebec and British Columbia. Stratford was chosen to host the 2003 national conference.

The judges described Stratford as a "world of pleasures, simple and rare, a community Victorian in its roots, progressive in its attitudes and outstanding in its accomplishments."

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St Marys was characterized as "peaceful family living with good schools, churches, excellent facilities for sports, recreation, cultural activities and health care, all provided in a picturesque natural setting."

I'd like to commend Stratford and St Marys for receiving a five-bloom rating, the highest possible in the competition.

Earning the distinction of being one of the most beautiful cities in Canada is a tribute to the residents and businesses of Stratford and St Marys.

I also want to recognize the municipal staff and elected officials of Stratford and St Marys, and the many volunteers, like Ted Blowes in Stratford, who help to establish a sense of pride in their community.

I encourage all members of the Legislature to visit the Festival City and Stonetown and see two of the most beautiful communities in Canada.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): The Minister of Health needs to understand that paying doctors more to work in emergency rooms in rural hospitals is not going to solve the crisis in hospitals and emergency departments in cities across the province. If she is paying any attention at all to the inquest into the death of Joshua Fleuelling, she should understand that.

An unquestionably expert witness, Dr Scholl, testified at the inquest on Friday. He made it clear where the emergency room problem began, and it began with the Harris government's restructuring of hospitals. Dr Scholl made it clear that the overcrowding of emergency rooms in Toronto is a new and distinct problem. The crisis began when the Harris government started closing emergency rooms and shutting down hospitals.

Dr Scholl also made it clear that this was not just a seasonal problem. Flu shots may be a good idea, but they will not likely be helpful in solving the emergency room crisis because patients with the flu are not the ones causing the problems. Dr Scholl said that what was needed was more care for seriously ill patients, which is exactly what Dalton McGuinty said when he called on the Harris government to stop closing emergency rooms and to reopen 1,600 hospital beds.

It is a fact that Ontario has the lowest number of acute care beds per capita in the country. It is a fact that our hospitals are operating at 93% capacity, and that means they are constantly facing crisis situations. It is a fact that patients are clogging up emergency rooms because there are no beds for them in the hospitals. And it is not just emergency rooms that are affected; surgeries are being cancelled and delayed because there are no beds to put people in after they have their surgery.

It is chaos. It's chaos the Harris government has created. It's time for the government to admit their mistakes and do what Dalton McGuinty has called on them to do.

THORNHILL WHEAT SHEAF FESTIVAL

Mrs Tina R. Molinari (Thornhill): It's an honour for me to rise in the House today to tell you about the Thornhill Village Festival, also known officially as the Wheat Sheaf Festival, that is held in my riding of Thornhill.

On Saturday, September 16, I had the privilege of participating in this annual event for the second time since my election. This is the 24th year of the Thornhill Village Festival, which is always held on the third Saturday in September. The theme is set in the 1800s and many of those who attend come in costume. It brings us all back to the heritage of Thornhill.

Organized by the Thornhill Historical Society, the primary focus is to bring more than 42 groups together to celebrate the heritage of Thornhill. This year, more than 10,000 people visited the Thornhill Wheat Sheaf Festival. A subcommittee of 20 volunteers from the historical society, and many more event day volunteers, including high school students, bring a wide assortment of events for everyone's enjoyment.

A parade featuring community service groups, dignitaries and marching bands always delight the thousands of spectators. Arts and crafts displays, community service booths and refreshment areas add to the enjoyment of the day. This year at my booth, I had the pleasure of hosting Child Find Ontario, which fingerprinted over 75 children for identification purposes.

On behalf of the people of Thornhill, I would like to congratulate the Thornhill Historical Society for this successful festival and ask that the members join me in recognizing Victor Stecyk, the current chairman of the Thornhill Village Festival, and his wife, Elaine, and Bill Crow, the first chairman of the festival, and his wife, Lucy, who are with us today in the Legislature.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Today I would like to address the effect of Bill 4 on the extracurricular activities of schools within my riding. I believe that extracurricular activities are an important part of our children's education. We know that teachers devote countless hours on their own time to these important activities. With Bill 74 in place, many of our teachers have to teach an extra course every day.

Take Natalie Clermont from Pleasant Corners school as an example. She has to teach six classes every morning, with an average break of five minutes between classes. This, unfortunately, reduces the amount of time that teachers can spend on extracurricular activities and leaves many students not knowing where to turn for help.

Today in the gallery I have three students from Rockland District High School who are here to try and find answers to their questions and solutions to their problems. Since Bill 74 passed, they have had very little extracurricular activity in their school and are concerned that they will not have the well-rounded education required to compete for entrance spots to colleges and universities.

Dalton McGuinty and the Liberal Party are committed to helping these students, and I encourage the Mike Harris government to do the same.

TAX REBATES

Mr Garfield Dunlop (Simcoe North): Last Friday, as promised in Minister Eves's budget, the first Ontario taxpayer dividend cheques were mailed out to households across the province. The cheques were issued because the families of Ontario worked hard, paid taxes, created jobs and turned the \$1-million-per-hour deficit to zero.

The Ontario Liberals believe the opposite and feel that balanced budgets mean more spending. The opposition leader, Dalton McGuinty, has said, "We have turned the corner. We are in a post-deficit era. The issue now is not how to raise the money, it's how to spend it." Time and time again the Liberal leader has spoken out against the idea of giving taxpayers some of their own money back. The only thing he is concerned about is how to spend the taxpayers' money.

The people in my riding of Simcoe North are happy to be receiving some of their own money back in the form of a dividend cheque, because they are the true investors in the Ontario economy. One lady tells me she will replace her TV. Another lady tells me she will buy a stroller for her new granddaughter. Another will take her parents to the Royal Winter Fair. Many will donate the money to charity.

We encourage the recipients of the rebate to make their own decisions on how they want to spend their cheques. The decision of how to spend this money is not up to the government or the opposition parties; it is the taxpayers' money, and once again we have kept a promise to the taxpayers of Ontario.

VISITOR

The Speaker (Hon Gary Carr): I want to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table: Mr Pedro Eastman, the Deputy Clerk of the Parliament of Barbados.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: Does this mean that all members of the Legislature are invited to go to Barbados in February?

The Speaker: If only it were so. There would be unanimous consent on that, I'm sure.

INTRODUCTION OF BILLS

TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000

LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS DE NATURE ENVIRONNEMENTALE

Mr Newman moved first reading of the following bill:

Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / *Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement.

Hon Dan Newman (Minister of the Environment): Since taking office, this government has remained firmly committed to setting and enforcing tough environmental standards.

Last month I announced a crackdown on deliberate and repeat polluters. This involved creating a SWAT team and introducing the toughest penalties and longest jail terms in the nation for serious pollution offences.

Today I am pleased to introduce the "toughest penalties" bill, as promised by the government in the Blueprint. This bill would give us greater ability to deter and punish those who choose to operate outside the law and threaten our environment. This would also help level the playing field by ensuring that polluters will not prosper. This is good news for the vast majority of individuals and companies in this province who refuse to profit at the expense of our air, water and land.

This government is keeping its promise to get tough on polluters. Should this bill be passed by the Legislative Assembly, Ontario would have the toughest fines and jail terms in Canada for major polluters. The result will be cleaner communities for all Ontarians.

I urge all members of the Legislative Assembly to support this important piece of legislation.

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QUESTION PERIOD

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I rise on a point of order with respect to standing orders 15(a), 15(b) and 15(c).

Standing order 15(a) states, "If a member on being called to order for an offence against any standing order persists in the offence, the Speaker may direct the member to discontinue, and if such member refuses to comply, the Speaker shall name the member to the House." Standing order (b) goes on to talk about suspens-

ion and naming of the member and (c) goes on to the force available to the Speaker to enforce.

Mr Speaker, my point is this: the operative word in all three clauses is "member." The standing orders contemplate an individual member being named or in fact being warned. On two occasions now, once last week, the Speaker warned our entire caucus, based on circumstances, frankly, that should not have applied to all members of our caucus.

I would ask, sir, that you review the standing order, and these standing orders have been agreed to by the parties, as the Speaker has often noted, in many cases reluctantly. But I would ask the Speaker to review that standing order in terms of naming entire caucuses. I would also ask the Speaker, and I do this with great respect for the Chair, to consider that in the context that in fact only one caucus has ever had that particular rule applied against it.

The Speaker (Hon Gary Carr): On the same point of order, the government House leader.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, the House leader for the opposition's standing up and drawing his point of order I think does draw to the attention of the Speaker the strategy of the loyal opposition to disrupt this House on a regular basis, which has denied ministers the opportunity to respond to questions and to allow the citizens of Ontario to hear those responses. The very nature of the point of order I think puts to the fore the strategy of the opposition party to actually cause disruption in this House, to not allow members of this House the opportunity to have their say.

This also works to the disadvantage of the third party which, because of the—

Interjections.

The Speaker: Order. The opposition will know I listened quietly to the member for Windsor-St Clair. I would appreciate it for the government House leader as well.

Hon Mr Sterling: Thank you very much, Mr Speaker. I think that's a prime example of what has been happening here over the last two to three weeks.

Mr Speaker, you know that we have an order of questions that rotate in a certain order. What has happened over the last two to three weeks is, because of the loyal opposition's frequent interjections, the third party has been denied their last question. This is untenable. This is not fair to the third party nor to the other members of this Legislature, but more particularly to the public of Ontario, who want to listen to the answers to the questions and not just to the questions.

The Speaker: I thank all members. I will listen to the member for Niagara Centre on the same point of order.

Mr Peter Kormos (Niagara Centre): Speaker, first I very cautiously acknowledge the sensitivity of the government House leader to the welfare of the New Democrats in the Legislature.

Having said that, Speaker, and you know we've spoken to this matter before, I don't in any way suggest your power to control the decorum of the House is

restricted solely to the letter of the standing orders. But I would suggest to you that disruptions that let the clock run, whether they are by any of the three caucuses, at the end of the day almost inevitably serve to the detriment of the New Democratic Party caucus because of where we stand in the ranking in terms of questions. Those four questions are very precious to us, and frankly I think they're important to the public as well.

I rise only to reiterate this point: I understand the New Democrats have heckled; some of my colleagues have heckled from time to time, Speaker, and I know you've been very cautious about stopping the clock so as not to punish any caucus in terms of the rotation. But can I suggest that if you adopt, however difficult it might be, a means whereby the time utilized for a disruption, if it's identifiable with a caucus, could be deducted from the time of that caucus and not the third party in rotation, that seems to me to be an effective way of dealing with the problem. Those who want to be the authors of their own misfortune would suffer that misfortune, and it seems to me the most effective deterrent against grossly interrupting interjections that slow down the progress of question period. I think that's a reasonable and modest proposition. I would ask you to consider it.

The Speaker: I thank all members for their participation. I think we're going to need a shot clock in here if we keep track of all the times.

On a serious note, let me say it is my intention to get as many questions on as possible. Just so you know we have done that, we have gotten more questions on in this session since I've been Speaker than any other, notwithstanding the disruptions sometimes. I say that because it's important for official opposition, third party and government members to get questions in. That's why we've shortened the questions a bit.

I will say to the third party that on two occasions last week we would have gotten to your fourth question. On one occasion, the member for Toronto-Danforth was named and as a result the clock went. We were well on our way to getting to that question. In fact, we would probably have even gotten past that question, if memory serves me.

On another occasion last week, we were well on our way to getting to the third party's question, and the member for Timmins-James Bay got up on a frivolous point of order that made it so we didn't get to the question.

Having said that, the third party has been very good and very well behaved in waiting for that question. They ask tough questions, but there aren't too many disruptions. I say to all members that there are two ways of doing it. I can name members, and I say to the member for Windsor-St. Clair about naming everyone that there's no provision. I don't even need to warn you, if need be. I could simply throw you out. I do you the courtesy of warning you, and I must say the warning does work. The vast majority of members, on the warning, are very good. In fact, I know some members leave the chamber so they don't inadvertently blurt something out. The warning is one as a courtesy to all members.

There are two ways to handle it, quite frankly. One is to name people and throw them out, which I am prepared to do. The other is to simply stand and let the clock wind down. I say to the House leader of the official opposition that in circumstances like that the vast majority of members, if I were to look at it, easily 90% of the members are very quiet. They sit there patiently waiting. They may be punished, even in the official opposition, for a few members. That's the same in any organization. Sometimes in school the few who are disruptive ruin it for everybody else.

I will say, and I've said this on a number of occasions: one way or the other we are going to maintain order in this House. It's up to the members. We can do it by naming them and simply having the members removed, or we can do it by simply letting the clock run down. Maybe in that case, the members who have questions on will put pressure on those members who do not.

I think it's important to note that in the scheme of things the vast majority of the 103 members are behaving very well. I also say, and I've said this to numerous school groups, all sides believe passionately in the reasons they're here. No one side has the issue of compassion. All the members in here believe fundamentally that their ideas are best for the people of this province. Occasionally there are going to be circumstances where people's tempers do rise. But in spite of that, this is still the best system. In other countries, when oppositions have that, we don't settle it this way; it's settled with guns and bombs and in other ways. As much as the behaviour in here sometimes may be not quite what we would see in church or in school, it's only because the members believe passionately.

1400

I've said this to all members: the House is not going to be totally quiet in here. There is going to be some heckling. My job will be that when I see it getting out of order, I will either name the members or will simply stand and let the clock run down. I say to all members, that isn't helpful to anybody on any side if that happens.

Having said that, I'm sure all members, since we have reviewed this, will be on their best behaviour. I appreciate the comments of the members for Windsor-St. Clair and Niagara Centre and the government House leader.

INTRODUCTION OF BILLS (continued)

DEAF-BLIND AWARENESS MONTH ACT, 2000

LOI DE 2000 SUR LE MOIS DE SENSIBILISATION À LA SURDI-CÉCITÉ

Mr Young moved first reading of the following bill:

Bill 125, An Act to proclaim the month of June as deaf-blind awareness month / Projet de loi 125, Loi

proclamant le mois de juin Mois de sensibilisation à la surdi-cécité.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for Willowdale for a short statement.

Mr David Young (Willowdale): I'd ask you for a moment to imagine living with neither sight nor hearing. This is the startling reality for approximately 3,000 deaf-blind Canadians who share our communities. Deaf-blindness is a unique disability that incorporates the dual sensory loss of both sight and hearing. Persons with this disability experience extreme isolation and the inability to access the services and information that most of us take for granted.

June is the birth month of Helen Keller, a deaf-blind person known around the world for her perseverance and achievements, an inspiration to the deaf-blind community. It is appropriate during the month of June to celebrate the achievements of the deaf-blind people in this province and to recognize the increased public awareness and the need for even more public awareness of this disability. It's crucial in expanding opportunities for those individuals who live with these special challenges.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, October 10, and Wednesday, October 11, 2000, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL LEGISLATION

Hon Dan Newman (Minister of the Environment): The Mike Harris government is committed to safeguarding our environment and ensuring that Ontario's communities are healthy, safe and prosperous. I am proud to be part of a government that has set ambitious environmental goals and is taking unprecedented action to achieve them.

Today I am pleased to tell the honourable members about a major environmental milestone for Ontario. This

afternoon, I have introduced for first reading the Toughest Environmental Penalties statute law amendment act, 2000. If passed, this bill, which was promised in our Blueprint document, would give Ontario the toughest fines and longest jail terms in the nation for major environmental offences.

The proposed bill would increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for a subsequent conviction from \$2 million to \$10 million per day. It would increase the maximum fine for a first conviction for a major offence for an individual from the current \$100,000 per day to \$4 million per day, and for subsequent convictions from \$200,000 to \$6 million per day. It would increase the maximum jail term for a person convicted of a major offence from two years to five years and would increase the cap on administrative monitoring penalties from \$5,000 to \$10,000 per day.

These proposed penalties would apply to offences under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. In addition, the penalty structure in the Ontario Water Resources Act would be amended to ensure that these tough new penalties apply to the most serious offences under the new drinking water protection regulation. Those offences would be the failure to report samples that exceed standards, as well as the failure to use minimum levels of treatment.

This legislation, if passed, would give us a greater ability to deter and punish those who choose short-term profit at the expense of our air, our water and our land. We will not tolerate companies or individuals who deliberately or repeatedly harm our environment. The vast majority of individuals and companies in this province care about the environment and comply with the rules. The proposed penalties are good news for them, because they will help level the playing field by taking away any incentive to pollute. Polluters will not prosper.

The tougher penalties we are proposing build on a strong record of environmental accomplishment. We have announced the formation of an environmental SWAT team with highly trained inspectors and new investigators. The focus will be on companies or individuals that systematically or flagrantly defy the law by threatening public health and damaging the environment.

Drive Clean is well on its way to meeting its goal of reducing smog-causing emissions by 22% in program areas. Drive Clean is complemented by the smog patrol which continues to target the most grossly polluting vehicles on our roadways. We have announced unprecedented initiatives to clean up Ontario's air and to address global climate change. As members will recall, I indicated my intention to introduce the toughest penalty bill when I announced the SWAT team last month. These actions show we are serious about ensuring that companies and individuals comply with Ontario's environmental laws.

With this bill, this government is keeping its promise to get tough on polluters. Should this bill be passed by

the Legislative Assembly, Ontario would have the toughest fines and jail terms in Canada for major polluters. The result will be cleaner communities for all Ontarians. I know this goal is shared by all members of the House. I urge my colleagues in the Legislative Assembly to support this very important piece of legislation.

Mr Dalton McGuinty (Leader of the Opposition): After that statement, I'm sure Ontario polluters are absolutely shaking in their boots. At this very moment they must be fleeing south, given this minister's new-found commitment and iron will to crack down on polluters in Ontario.

Minister, I'm sure government members already know where we are in Ontario when it comes to your record. But for the purposes of viewers, let's take a look at a bit of the record.

At some point in time in the not-too-distant past, you will remember we had the best environmental record in North America. Under your government's watch, we now have become the third-worst polluter in North America. Also, your commitment to your own ministry goes so far that you have cut its budget by 42%. That has happened on the Mike Harris watch. That's a sign of your real commitment to your own ministry: cut it back by 42%. On top of that, you have let one third of the staff go. That's over 900 people, including hundreds of inspectors and enforcement officers. By the way, since the Walker-on tragedy you have not rehired a single inspector or enforcement officer. These are fine words that you are spouting forth in the Legislature today, but your actions have yet to back them up.

You talk about your desire to crack down, but let's take a look at the record again when it comes to actual convictions for breaches of environmental laws in Ontario. In 1998, there were over 3,300 documented cases of water pollution law violations in our province—3,300 documented violations. Do you know how many our ministry actually took the time to prosecute and to convict? One; 3,300 violations, and you come up with one measly, embarrassing conviction.

410

Minister, if you are really committed to cracking down, then why don't you take a new look, a close look at what's happening at Adams mine? They propose to use that as a dump site. They propose to bury 20 million tonnes of garbage in essentially what is a lake that leaks. If you want to crack down on pollution, if you want to stand up for the interests of future generations of Ontarians, then why don't you weigh in to this matter? And why don't you say you had an opportunity now to revisit this, and you understand that all things being considered, this is not in the interest of Ontarians, that you cannot possibly guarantee the safety and well-being of our children if this project goes ahead?

It seems to me, Minister, that if you should be cracking down on anybody, you should be cracking down on yourself. Maybe you should be turning yourself in, for being the best friend Ontario polluters have ever had. They're having an absolute joyride. We've become North

America's favourite dumping ground when it comes to toxic waste. This is happening on your watch.

The Ontario Medical Association has now told us that 1,900 Ontarians die annually prematurely as a result of breathing bad air. The Canadian Medical Association recently told us that childhood asthma rates have gone up by 400% in the last 20 years. At one point in time we stood, in terms of the North American context here, head and shoulders above our American cousins. Now we are an embarrassment. Now they are pleading with this government and the federal government to have you come onside. The fact of the matter is, and this is a terrible embarrassment to have to acknowledge today, that our pollution is making American children sick—and you have refused to do anything about converting our coal-fired electrical generating stations into natural-gas-fired electrical generating stations.

If you are really committed to eliminating, wherever you possibly can, pollution that is eliminating from within our province, then why don't you stand up and announce that you are going to crack down on pollution over which you have absolute control? The government of Ontario is the only shareholder when it comes to Ontario Power Generation. Why don't you stand up and say that you're going to order, you're going to mandate that we convert from coal-fired to natural gas, which is a much cleaner burning form of energy? Why don't you do that, Minister?

Ms Marilyn Churley (Toronto-Danforth): Well, here's the Minister of the Environment trying to pull the wool over our eyes once again; more window dressing. I went to the press conference this morning to hear what the minister had to say, thinking that he might be responding to the report on deep well water—and not a word about it until the press asked him specifically, and then there were no answers. "Oh, we have to wait." How many more people are going to have to die in this province before the minister and this government finally take action to come up with real solutions to the problem?

Let's be clear about one thing: increased penalties won't help as long as this government has a policy to not prosecute industrial and municipal polluters, and that has been the history with this government. Information obtained under FOI shows that just in waste water pollution alone offences by industrial and municipal sources increased from 1,000 in 1996 to 2,234 in 1997 and—get this—3,300 in 1998. That's a 200% increase in two years. These are just waste water offences alone.

The Sierra Legal Defence Fund report identified 16 facilities that have been violating Ontario's water pollution laws for five years straight. The MOE also uses program approvals to give permission to industry to continue to violate the pollution laws. Did you know that? Do you know what that means? The program approval actually signs a deal with industry to say, "You can continue polluting."

The March 14, 2000, draft cabinet document that the NDP released says that there are 79—oh, the minister laughs. He should read that document himself. There are

at least 79 industrial polluters putting poisons into waterways that affect drinking water. It says that they have been out of compliance for more than two years and that your ministry is doing nothing about it.

That same document says that the MOE is now inspecting less than 10% of known sources of pollution, which affects our health and the environment, and that you need in excess of 500 new staff hired to inspect all the sources.

The sad truth is that after that cabinet document was released here in the Legislature and the government was forced to respond about some vague promise about a SWAT team, what did they announce? They fired almost 1,000 people, many of whom were front-line workers, the ones who go out there and monitor, the ones who go out there and inspect, the scientists who do the testing, the ones who prosecute. They fired those people and then their sad response was to hire 65 new people—not even new—on an 18-month contract, some of whom, we’ve been told, are not even coming from the outside. They’ve been moved around internally.

This is nonsense when you know that more than 80% of sources of pollution—this was in your own document, Minister. They keep saying that. They’re saying “wrong” to everything. Every report, including their own ministry’s report, they say is wrong. When are you going to wake up and listen to what your own ministry people are saying and the people of Ontario are saying, Minister?

Let me tell you one more thing that the minister didn’t say today when he was talking about increased penalties and fines. I don’t know if the minister is aware of this yet, but he should be: the Supreme Court of Canada ruled in November 1999 that polluters—this was a specific case but it was the Supreme Court—are now allowed to write off fines for environmental offences on their taxes, Minister. Did you know that? Ontario hasn’t done anything about it.

Today you brag about increasing the fines—“the highest in Canada”—but they are now allowed to write those fines off. Guess who’s going to be paying them if you manage to go ahead and actually prosecute and fine them? The taxpayers are going to be writing off those huge fines.

So we’ve got two problems here: there’s no staff there to enforce and make sure people are prosecuted, and if they are and they are fined, they can write it off on their taxes.

ORAL QUESTIONS

ENVIRONMENTAL PROTECTION

Mr Dalton McGuinty (Leader of the Opposition): My first question is for the Minister of the Environment. Bill Davis, David Peterson and Bob Rae were never afraid to make our province a leader when it came to protecting our air and our water. Things have certainly changed. Minister, your failure to protect the air that we

breathe is not just a provincial embarrassment; it has become a national disgrace.

We are poised now, at the international level, to sign a treaty between the federal government and our American counterparts. It’s a historic, cross-border air pollution treaty. The only thing that is getting in the way of us signing on to that deal, which most assuredly is in the interests of Ontarians today and generations yet to come, is your failure to order Ontario Hydro to convert from coal-burning to natural gas-burning.

Minister, why is it that you refuse to give that order, and why is it that you continue to act as a real obstacle in the way of a historic air pollution treaty?

1420

Hon Dan Newman (Minister of the Environment): Nothing could be further from the truth coming from the Leader of the Opposition. I want to say to him today that, yes, on May 17 of this year I did place a moratorium on the sale of all coal-fired facilities until a thorough review has been completed. These decisions are indeed important ones—that’s why the review is continuing as we speak—but it’s important that we consider all factors and input from stakeholders, and it’s important that we consider options such as the conversion to natural gas for maximizing environmental performance. It’s important that we consider individual plant emissions as well as the impacts to local and regional air quality. It’s important that we consider the timing of improvements as well as a reliable electricity supply. It’s also very important that we look at the age and efficiency of the plants. We’re doing this because we want to continue to protect the air quality for the people of Ontario.

Mr McGuinty: Minister, do you know what it’s important to consider? It’s important to consider the health and well-being of the people who live in this province. That’s your job, Minister. That’s what you’re supposed to be doing.

I’m going to give you the opportunity, because there’s a bit of confusion over there between you and the Premier on this score. We want to know whether or not you’re going to permit our coal-fired stations to continue burning coal, and we want to know whether or not you’re going to order that they convert to natural gas. Yes or no?

Hon Mr Newman: I did indicate to the member opposite that there was a moratorium put in place on May 17 of this year. The review is underway as we speak, and it’s continuing. It’s a very exhaustive process looking at all the coal-fired facilities in our province, looking at all the options, from conversion to natural gas, so that we can ensure we are maximizing the environmental performance of those plants, looking at the age of the plants and the air emissions. We’re taking all of those factors into account.

Mr McGuinty: Minister, you will know that Ontario Hydro has said that they have no intention of making the conversion. They’re saying they’re going to put on these newfangled scrubbers, at a cost of \$250 million, and then in and of itself will be sufficient to meet your needs. As you well know, those scrubbers will eliminate nitrogen oxide, but they do nothing for the 29 other pollutants that

emanate from the coal, notwithstanding the use of those scrubbers.

So the question I've got to bring back to your attention, Minister, is this: will you or will you not accept Ontario Power Generation's proposal that they proceed not to convert from coal to natural gas but that instead they simply put in place scrubbers? Yes or no?

Hon Mr Newman: Again, there is the moratorium in place, and I don't know how much further I can go with that with the member opposite. I have told you that there is a review of all the coal-fired facilities.

But he raised an issue earlier with respect to negotiations with the federal government and the United States. I want the member opposite to realize that over half of the smog-causing emissions that come into Ontario come from the United States, and it seems that the best the federal government can do to negotiate with the United States is to have a reduction for five months of the year during smog season. That isn't good enough for the people of Ontario.

WASTE DISPOSAL

Mr Dalton McGuinty (Leader of the Opposition): My question is to the same minister. We'll give him an opportunity to see if he can do any better on another issue.

I want to return to the matter of the Adams mine dump. I have a real concern that your government has not taken all of the necessary steps to ensure that, if this should proceed, we will give every protection to the health, safety and well-being of the people of Ontario, but particularly the people who reside in that community.

You are telling us that you firmly believe that this is in fact safe for the people who live in that community and for Ontarians generally. I'd like you to stand up now and simply confirm, so we get this on record, that you are convinced that this proposal is nothing less than safe and will not in any way compromise the health, safety and well-being of Ontarians.

Hon Dan Newman (Minister of the Environment): I can again remind the member opposite that there was a full environmental assessment that took place on this site in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection system and contaminant system to ensure that groundwater contamination would be prevented. The hearings lasted over a six-month period. The board attached 26 conditions to that plan. A certificate of approval was issued after further technical analysis of the project. The certificate carried with it 66 conditions. There were eight independent peer reviews that carefully analyzed the details of the plan. Obviously, if all the conditions are met, this facility is indeed one that can be considered safe.

Mr McGuinty: Minister, I'm sure you'll expect that's not good enough, so I've arranged to have a pledge of

responsibility drafted. I'll have the page take a copy of it to you. It's very straightforward and says:

"To the people of Ontario:

"On behalf of the Mike Harris government, I guarantee the Adams mine dump will be safe and will never jeopardize the health of Ontarians or their natural environment."

Minister, the people of this province need your reassurance. They need to know you have every confidence in this process and every confidence in the outcome, and they need your specific guarantee that this proposal is safe. Would you please tell us now whether you're prepared to sign this pledge of responsibility?

Hon Mr Newman: Rather than props, we on this side believe in protection of the environment. That's the difference between this party and your party, sir.

I want to bring to everyone's attention the Northern Daily News from Kirkland Lake, October 6, 1999. This is what the headline read: "Liberal Leader Gives Adams Mine Thumbs Up While our MPP Opposes the Adams Mine Project: His Party Leader Gives it Conditional Approval." What brought about your latest flip-flop?

Mr McGuinty: Minister, I wonder if I could bring you back and have you focus your attention on the matter at hand, and that's whether you are prepared to guarantee the people of this province that the Adams mine dump proposal is safe. They're looking to you. You are the Minister of the Environment. You are the representative in the government of Ontario who is there to stand on guard against pollution and stand up for the rights of Ontarians when it comes to their health, safety and well-being.

I'm putting forward to you a pledge of responsibility. It's a very simple pledge, and I'm asking you on their behalf to simply provide them with the guarantee they need. They need your assurance that this proposal is in fact safe.

I ask you again on their behalf, why will you not sign this pledge of responsibility?

Hon Mr Newman: On April 23, 1992, this is what the member opposite, Dalton McGuinty, said in this House, "An environmental assessment affords an opportunity for an issue—

Mrs Sandra Papatello (Windsor West): That is so ridiculous. How much do you pay those people?

The Speaker (Hon Gary Carr): Stop the clock. Member for Windsor West, come to order, please.

Hon Mr Newman: I seem to have struck a nerve over there today.

This is what Dalton McGuinty said in 1992: "An environmental assessment affords an opportunity for an issue to be heard in an impartial, objective manner by a group of experts who consider these matters—

Interjection.

The Speaker: Would the Minister of the Environment take his seat, please. Member for Sudbury, come to order as well, please. The Minister of the Environment.

Hon Mr Newman: I was just trying to indicate what Dalton McGuinty said in 1992. I'll start again: "An envi-

ronmental assessment affords an opportunity for an issue to be heard in an impartial, objective manner by a group of experts who consider these matters intelligently, expertly in a forum devoid of emotion."

This project underwent a full environmental assessment and Environmental Assessment Board hearings as well.

The Speaker: The member's time is up. New question, the leader of the third party.

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment and it concerns the Adams mine garbage proposal. We learned on Friday that officials in the federal Department of Indian Affairs are calling for a federal environmental assessment of the Adams mine garbage proposal to consider the impact of the proposal on the land and water of First Nations adjacent to the mine site. Why do they feel a full federal environmental assessment is required? Because your limited process didn't consider any of that.

My question to the Minister of the Environment: will you join those federal officials in the Department of Indian Affairs and Northern Development and call for a full federal environmental assessment?

1430

Hon Mr Newman: We had a full environmental assessment in this province in accordance with the Environmental Assessment Act. The Minister of the Environment also requested that there be an Environmental Assessment Board hearing that took place on this very subject, and it did. The board attached 26 conditions to the plan. There was a certificate of approval that was issued after further technical analysis, and the certificate carried with it 66 conditions.

Right from the outset, throughout the environmental assessment process here in Ontario, the federal government has been involved and the Quebec government has been involved as well.

Mr Hampton: Yesterday I was in Earlton and there were literally hundreds of protestors who turned out on Thanksgiving Day to point out that your so-called environmental assessment was nothing of an environmental assessment. It was a process aimed at one thing: giving approval to this project without considering any of the questions. This morning, I was at Toronto city hall, where, again, hundreds of residents from northeastern Ontario and Chief Carol McBride of the First Nation were there to say to the Toronto city council that they should refuse to become part of your disastrous process.

She asked for a meeting with the mayor of Toronto to consider the issues from a First Nation perspective. He refused. You say that this isn't an important issue. She's come here today. Will you meet with the Chief of the Timiskaming First Nation so that you can hear first hand the concerns they have about the potential disaster of that mine site?

Hon Mr Newman: Again, there was a full environmental assessment that took place in accordance with the Environmental Assessment Act in this province. There were hearings under the Environmental Assessment

Board as well. Twenty-six conditions were attached to the plan. The certificate of approval that was issued had with it 66 conditions. There were eight independent peer reviews that carefully analyzed the details of the plan, and they submitted their reviews to the Environmental Assessment Board to handle this situation.

Mr Hampton: This is a chief whose First Nation is immediately adjacent to the mine site, immediately down the water table, if you will, from the abandoned pit mine. She's come here and she simply wants to talk to you. We know that federal officials are now calling for a federal environmental assessment to look at this exact issue.

Minister, if you won't support a federal environmental assessment and you won't meet with Chief McBride herself, will you stand here today and guarantee that the pit won't leak, that there won't be earthquakes and there won't be any polluted water that will affect their community? Will you stand here today and give that guarantee?

Hon Mr Newman: Each and every issue that the leader of the third party has brought forward in this House with respect to the Adams mine proposal was dealt with through the environmental assessment process. He brought forward the contention about the government of Quebec not being involved when in fact they had been involved right from the beginning. He raised the issue a couple of weeks ago about earthquakes. They actually, through the Environmental Assessment Board hearings dealt with the issue of earthquakes. He asked about the federal government. The federal government was involved.

Each and every proposal the member opposite brings forward was dealt with through the environmental assessment and the Environmental Assessment Board hearings.

WATER QUALITY

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment: you still haven't given us your guarantee that the dump won't leak.

I was in Walkerton a few days ago and I met with many of the residents there. They were shocked to hear about the crass political game that you and your government played with Bill 96, the Safe Drinking Water Act. They sent you an open letter which calls on you to send the Safe Drinking Water Act to committee. It says, "If anything positive is to come out of the loss and suffering of the citizens of Walkerton, it should be comprehensive legislation to protect the province's water supply."

Minister, I ask you, what is your answer to the people of Walkerton?

Hon Dan Newman (Minister of the Environment): Each and every member of this House obviously wants to have safe drinking water in all parts of the province. The public has the right to clean and safe drinking water. That's why we brought forward the safe drinking water regulation that for the first time had the full force of law in this province. This regulation protects the health of

Ontarians and makes the province's drinking requirements among the toughest in the world.

This means that by law, drinking water must be sampled and analysed. Whenever there is an exceedence, it must be reported to the local medical officer of health, as well as the owner of the waterworks and the Ministry of the Environment. As well, corrective action must be taken to deal with that.

The government is making sure that all municipalities in our province understand the rules and have all the necessary information to ensure that they are doing the right thing. The government has provided information packages not only at the AMO conference but throughout the province to share that information with the affected municipalities.

Ms Churley: Minister, the medical officer of health, Dr Murray McQuigge, says your regulations won't work. A host of environmental groups, environmental experts, say that your regulations won't work. That's why there is the safe drinking water bill before this House. Your regulations won't work. When are you going to start listening to people?

I'll tell you something else that Dr Murray McQuigge said, and you know about this. He says that deep water wells are not safe and that your testing is inadequate. Minister, tell us, are deep water wells safe in this province?

Hon Mr Newman: The member opposite raises the issue of what people think about the new safe drinking water regulation in this province. I want to share some views of other Ontarians with her today.

Let's hear what Mayor David Thomson of Walkerton has to say. "It's good news for all of Ontario. It's going to restore faith in the quality of water, so hopefully these tests will be a big benefit to everyone."

As Canadian Press reported on August 9 this year, Ken Ogilvie of the environmental watchdog group Pollution Probe called the new law a good piece of work because it transforms what were guidelines into legally binding standards."

Canadian Press, August 10, 2000: "The Association of Municipalities of Ontario called the announcement an important first step in restoring confidence in the province's drinking water."

I've got a hundred other quotes to go with those.

AGRICULTURE INDUSTRY

Mr Steve Peters (Elgin-Middlesex-London): My question is for the Minister of Agriculture. I read with interest the comments the Premier made regarding the entertainment industry in this province. The Premier found it ironic that the automotive industry commands so much political attention, complaining that entertainment executives don't receive the respect their industry deserves.

Minister, what respect does the second-largest industry in this province receive from this government? The agricultural industry employs 60 times the number of

people and generates 25 times the dollars that entertainment does. The farmers of this province have been trying to get your attention and the Premier's attention for months.

For the past five and a half years, the Premier has not formally met with the Ontario Federation of Agriculture. Public meetings were held throughout the month of August and extensive lobbying was held within Queen's Park, even though only a little over one third of your caucus was prepared to meet with the farming community of this province.

Trying to get this government to wake up and address the serious issue of the crisis in agriculture is of extreme importance. Minister, what are you doing to ensure that the farmers of this province get the respect they deserve and the assistance they are entitled to?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): To the honourable member across the aisle, thank you very much for the question. I want to say that we are a strong supporter of agriculture, the second-largest industry in this province. As the member mentioned, it is exceeded only by the auto industry, but when it comes to providing the food we eat, there is nothing as important.

I want to assure the member that we are very concerned about the downturn in the commodity prices for our agricultural products and we have been working with the farm communities to deal with the farm safety net to make sure our farmers are protected.

The member will be aware that we have had negotiations with the federal government to get our fair share for Ontario's farmers, which up until now had not been the case. In those negotiations with the federal government, we got them to agree to give us \$30 million more for our Ontario farmers. That will be matched by \$20 million from the Ontario government to make sure we provide our 60-40 assistance to our farmers and to protect their interests while we go through this downturn in the economy.

I appreciate the question and I know—

1440

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary.

Mr Peters: Minister, I'd just like to tell you about a province that has gone beyond their fair share and recognized the importance of agriculture, and that's Alberta. They've just announced an additional \$233 million in emergency support for farmers. That's in addition to \$145 million they put in in March. These are provincially funded dollars, well above and beyond the 60-40 cost-sharing arrangement with the federal government. Alberta's industry is roughly the same size as ours, yet this fiscal year alone they have spent \$700 million in assistance, almost twice the entire budget of your ministry. Even the cut-and-slash government in Alberta has acknowledged a serious crisis in agriculture. They've acknowledged that the 40%, which you make so much about, is just a minimum contribution.

Why do you continue to pass the buck? The farmers of this province do not have time to continue to listen to the finger pointing between you and Minister Vancilief. Will you show some leadership, put your money where your mouth is and commit to doing whatever is necessary to provide the needed assistance for the farmers in this province, who are experiencing a crisis they have never experienced in the past? Will you do it, Minister?

Hon Mr Hardeman: I want to say that we recognize Ontario farmers are facing a very difficult year in terms of commodity prices, especially the grain and oilseed producers. We want to help farmers through this difficult year. The member opposite mentioned Alberta. In fact, Ontario is the only province that still has the market revenue insurance program for our farmers. As the downturn in commodity prices arrived, the farmers in Alberta had no fallback position. In fact, in Ontario we provided \$65 million last spring to help the grain and oilseed industry through the market revenue program. As recently as last week, we mailed out \$35 million more to our Ontario producers through the market revenue insurance program to make sure we could help them get through this difficult time.

Of course, as I said, we have different types of programs in different parts of the Dominion of Canada. I want to tell you that as we were negotiating with the federal government, the farm community very actively told us that they didn't want ad hoc programs in individual provinces. They want—

The Speaker: I'm afraid the minister's time is up.

LABOUR LEGISLATION

Mr John O'Toole (Durham): My question today is to the Minister of Labour. Minister, you might know that this past summer the Ontario Federation of Labour issued to workplaces a document entitled Hours of Work—Health and Safety Alert. In this piece, the Ontario Federation of Labour says this government—which, by the way, has created over 750,000 net new jobs since elected in 1995—plans to change labour law in Ontario. What they highlighted here was: making people work 60 hours a week, forcing employees to take vacation one day at a time, paying less overtime—pure rhetoric here—forcing employees to work in an unsafe workplace—which is unacceptable to me. These statements and other rhetoric here have been brought to my attention by members of the CAW and other constituents, and I support their concerns. In order to respond accurately, Minister, what can you tell not just me but also the people who may be watching today?

Hon Chris Stockwell (Minister of Labour): First of all, the idea of the legislation was to develop an opportunity for the employers and employees to mutually agree upon a more flexible workweek that is beneficial to both. If the two can agree on a flexible workweek that is beneficial to both, that may be instituted without going forward and getting a permit like you used to do in the old days. You've got to remember, though, nowhere is it

written in legislation or has it been discussed that if the employee does not want to restructure their workweek or isn't happy with the workweek restructuring, they don't have to agree to the new workweek. The old Employment Standards Act applies. What then takes place is that the employee and the employer continue to work under the old scheme and those particular programs are still in place. It's designed to make a more flexible workweek for the benefit of the employee and for the benefit of the employer.

Mr O'Toole: I might just say, Minister, it's good to have you back in the House with that charm and for clarifying the issue for my constituents.

I agree with your assertion that this is the right time to modernize this legislation. Can you give further information to the people of my riding of Durham and of course all the people of Ontario—

Interjections.

The Speaker (Hon Gary Carr): Order.

Interjections.

The Speaker: It's lucky I'm Speaker. Sometimes I want to shout out too.

Mr O'Toole: Thank you. I was absolutely interrupted by the loyal opposition there.

On a more serious note, Minister, could you share information with us on what actions your ministry intends to take to modernize, and I might say harmonize, the workplace for our employees in the future.

Hon Mr Stockwell: Thank you very much for the question. I remind the member that it's improper to refer to members who are not in the House at the time.

We are going a long way to modernize the workplace. Let me give you an example of a compressed workweek. If an employee today wanted to work 10 hours a day four days a week and take every Friday off, they couldn't. They'd have to apply for a permit and go through a very arduous process. If the employer and the employee agree, why should the government get involved in telling an employee that they can't work four days a week if they want? This makes a lot of sense. These are the kinds of directions we're giving to employers and employees.

Interjection.

Hon Mr Stockwell: The babbling from the member for Hamilton—I don't understand where you're coming from. Under your government, 18,000 permits were issued to allow workers to work more time. Under your government, 28 sectors were not even under the Employment Standards Act. Under your government, millions of employees didn't even fall under the Employment Standards Act. I don't know why, all of a sudden, because we want to modernize the system—

Interjections.

The Speaker: Order. I'm afraid the Minister's time is up.

Mr Dominic Agostino (Hamilton East): My question is to the same minister, and I appreciate the set-up on this from the member across the floor. Clearly this legislation proposed throughout the summer, the 60-hour work

week, is nothing more than the old American right-to-work, regressive southern states legislation which works to the benefit of your corporate friends but not to the benefit of working men and women.

Minister, a few minutes ago you said, "... an opportunity ... to mutually agree upon a ... workweek." Somehow you suggest that someone working in a minimum-wage job in a non-unionized shop or factory has the balance of power to negotiate with the employer, under threat of being fired, demoted or harassed. The reality is that this legislation does nothing to benefit working men and women. All it does is benefit your corporate friends.

We're going back to legislation that was in place in 1944. We expect you to move legislation to the year 2004, not roll it back. This is a bad piece of legislation. It's an attack on working people. Will you do the right thing today and commit to the House to withdraw the provision of the bill that requires a 60-hour workweek?

Hon Mr Stockwell: First, not only does the member have the whole right-to-work thing completely confused; he's also clairvoyant. He said it's a bad piece of legislation. There isn't even a piece of legislation before our House yet. How do you know you're going to oppose a piece of legislation that doesn't exist?

As far as right-to-work legislation is concerned, do you know what right-to-work means? Right-to-work means that if you go into a union shop, you have an obligation to belong to the union. You can't be given the option to opt out. Where you saw that in the white paper, I have no idea. This has got to be left-wing rhetoric. You've been sitting in union halls talking to OFL representatives far too long. It didn't appear in the white paper. I don't know why you said it was in the white paper. I don't even know why you brought it up today. Maybe you should go out and get a definition of right-to-work before you start asking silly questions.

Mr Agostino: I appreciate the history lesson by the Minister of Labour. I promise that you're wrong. As usual, Minister, you don't know what you're talking about. Your consultation paper talked about a 60-hour workweek. You had a chance, in the set-up from your stooge back there, to withdraw that. You made it very clear that you intend to bring in the 60-hour workweek. You are simply jeopardizing not only the rights of working men and women but their health and safety.

If they're forced to work the 60 hours, they're more likely to be tired and they're more likely to get injured or killed on the job, as much as the fact you're taking their rights away. If you believe I'm wrong that you're going to bring in the 60-hour workweek provision, you have a great opportunity now to act in the best interests of working men and women and tell us clearly for the record once and for all that you have no plan to bring in a 60-hour workweek in your upcoming legislation.

Hon Mr Stockwell: First of all, the member from Durham is certainly no stooge. I think the only name I could call you is Curly, Larry or Moe. The only stooge in here is not the member for Durham.

Secondly, right-to-work legislation is what you brought up in the first place. That's what we're debating here. Now you've returned to the 60-hour workweek. Don't start off a question with something that's completely outrageous like the right-to-work.

As far as the 60-hour workweek that you suggested coming forth is concerned, it simply says that if the employee and the employer—the member for Beaches-Woodbine would know this—agree that if they want to configure workweeks differently, so that the employee and the employer agree, then they're allowed to do that. What's the matter with that? It's called a democracy. People are allowed to structure their workweek the way they'd like to structure it.

1450

VICTIMS OF CRIME

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Correctional Services. For too long the criminal justice system treated victims of crime as an afterthought. I'm aware our government has supported victims by creating a Victims' Bill of Rights and continues to expand programs making it easier to bring civil suits against offenders and by launching an office of victims of crime which is staffed by victims of crime and front-line justice professionals. What can our government do to ensure that the voices of victims are heard?

Hon Rob Sampson (Minister of Correctional Services): On a day when the page from Mississauga Centre has his parents in the gallery watching the activity today—his mother and father and his sister and his grandmother are here—on this very momentous day I'm pleased to confirm that this government does believe that there should be a strong role for victims in the criminal justice process, which is why we spent the time and effort to draw the victim as much as possible into the criminal justice process, including parole, where we've allowed, as the member from Hamilton would know, the victim to have a say in the parole hearing.

Now there's always more to do, and I will say in front of this House and to the member who has raised the question in the House today, that we indeed have and will commit to do more for victims because that job, frankly, is never done.

Mr Stewart: Thank you, Minister, for your answer. I know that the people of my riding of Peterborough will be heartened to know that this government continues to make victims' rights a priority. But some critics of this initiative suggest that it will be tougher for inmates to be granted parole.

I know, for example, that when the NDP formed the government, they believed that the criteria for granting parole should be relaxed. I'm glad that this government takes their responsibilities for public safety more seriously.

I understand that under this government we don't just hand out parole like the federal Liberals give their "Get Out of Jail Free" cards. Minister, can you inform the

House of the progress we have made to ensure that public safety is protected?

Hon Mr Sampson: Thank you very much again to the member from Peterborough. To the members of this House, to the page Michael Cancilla from Mississauga Centre, I do want to say that this government does, indeed, take the issue of public safety very seriously.

In fact, as it relates to parole, we took the initiative to tighten up and make parole truly a privilege that should be earned by an inmate and not a right to be automatically granted.

The federal Liberals believe that they should have this quota system and 50% of those in prison should be automatically let out. We, of course, cautioned them against that, and it still stands that that is the wrong policy. In fact, the police from Kingston have done their own internal study that says that 47% of those released from federal prison on parole or early release reoffend.

I say to the member from Peterborough, that's why we need to get tough on parole. That's why we have taken parole grant rates from about 60%, which is where they were in 1995, to the current rate of just around 33%. That is protecting public safety.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Health regarding her government's ongoing discrimination against northern cancer patients. We learned on Friday that Cancer Care Ontario and the Princess Margaret Hospital have to send more southern Ontario cancer patients away for treatment, and your ministry has requested that these officials prepare a proposal outlining how many patients will have to be sent and the cost to pay 100% of their travel, accommodation and food to access cancer treatment somewhere else. This proposal is due by October 19.

Minister, if we save even one life by this, then it's something we must do. But if your government has enough money to send more southern Ontario cancer patients far from home for cancer treatment, then your government has enough money to end its discrimination against northern cancer patients now. Minister, will you use this opportunity to finally fund 100% of the costs for northern patients who have to travel far from home for cancer treatment too?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member knows that there is no discrimination. There are two programs. The northern community is entitled to a northern health travel grant, which is not available to people in the south. So if there's discrimination, it's that people in the south don't have access to the northern health travel grant. However, the CCO referral program for cancer is accessible and will be provided to all people, whether they live in the south, the north, the east or the west.

Those are the two programs that we have in this province.

Ms Martel: Minister, the question was, what are you going to do to end your government's discrimination against northern cancer patients? Even your Minister of Finance, who is sitting next to you, said publicly in May in this province that there was something wrong and this situation should be reviewed.

We know that your ministry has asked Cancer Care Ontario for a proposal regarding how much money it will cost to send even more southern Ontario cancer patients away for treatment. We assume you're asking for this proposal because you're going to fund 100% of the cost for these patients to travel far from home for cancer treatment too.

Minister, for 18 long months now your government has refused to fully fund the costs for northern cancer patients who daily travel far from home, to Sudbury and to Thunder Bay, or who have to leave the north all together to get cancer care here in Toronto and in Ottawa. If you have the money to send even more cancer patients away for treatment and pay 100% of their costs to do so, your government has the money to fund 100% of the costs of northern cancer patients too.

I ask you again, Minister, will you use this opportunity that is now clearly before you and end the discrimination against northern patients by fully funding their costs too?

Hon Mrs Witmer: The member knows full well that the northern health travel grant program is the same program that they supported and that was initiated by the Liberals. It is absolutely no different. It is there for northerners. In fact, our government is doing more to ensure that programs and services are provided for people in northern Ontario than ever before.

We are expanding health services in Sudbury, in Sault Ste Marie, in Timmins and in Thunder Bay. We are building new hospitals. We are expanding cancer services. Sault Ste Marie will soon have a new one. We are expanding dialysis services.

Again, I remind the member that the referral program that CCO has initiated is a temporary program. It is there in order to ensure that the patients in Ontario, no matter where they live—

The Speaker (Hon Gary Carr): I'm sorry; the minister's time is up. New question.

TEACHER TRAINING

Mrs Leona Dombrowsky (Hastings-Frontenac Lennox and Addington): My question is for the Minister of Training, Colleges and Universities. In my riding we are aware of a number of education students who have had their practice teaching placements cancelled because of the crisis your government has created in education.

The crisis in the elementary and secondary system has impacted university programs as well. My constituent David Kassera is an education student at Queen's University. He and his wife decided to put their plans on hold so David could return to teachers' college. David wants to teach history.

and biology to secondary school students. However, David is one of 60 teacher candidates who have had their practice teaching placements cancelled.

Minister, you are hiding your head in the sand if you think that your government's education reforms have not demoralized teachers in Ontario. Teachers no longer have the time, energy or heart to supervise these young, aspiring teachers. What are you going to do to ensure that David and other teacher candidates across Ontario will get the teaching experience they need?

1500

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): In response to the question I'd like to begin by saying that I'm not aware of this situation and I will in fact talk to you about it, if you'll share this with me.

In the meantime, I would say that that's exactly what we did try to alleviate when we increased the number of opportunities in our teacher colleges across the province for more teachers to be trained this year. So I'm definitely going to have to find out what happened in this regard and get back to the member, but maybe you can tell me in a supplementary what the real issue is here.

The Speaker (Hon Gary Carr): Supplementary?

Mrs Marie Bountrogianni (Hamilton Mountain): Minister, my colleague told you the real issue. Your answer tells us that you don't have a backup plan for the fallout of Bill 74. With respect to the 3,500 spaces that you say you're creating over the next four years, we will have a shortage of 10,000 teachers in the next five years. That's hardly a solution.

Minister, let me tell you something else that you need to investigate: in Hamilton, close to the Brock University campus for teachers' college, a very enterprising businessman has opened a business selling American placements to our Canadian students for \$500 apiece. That's what we've come to. Surely someone in your ministry could have communicated with someone in your colleague's ministry to prevent this from happening.

Minister, what concrete steps are you taking to ensure that each and every student teacher in this province will finish their certificate this year?

Hon Mrs Cunningham: In regard to this specific request, the government in fact is taking steps to ensure that we can meet the expected demand for new teachers in the province. To be specific, we invested an additional \$45 million in faculties of education, in fact to fund 1,000 new spaces for teacher training. This is through 2003-04.

You talk about 10,000 new teachers; you just heard the numbers. Part of teacher education is practice teaching. So again, if the member would tell me what the real problem is—

Interjection.

The Speaker: Would the member for Kingston and the Islands come to order, please.

Hon Mrs Cunningham: This is in fact an addition of some 6,000 newly funded student spaces which include practice teaching. So if we're talking about the way we

teach our students in our faculties of education, I would be pleased to talk to both of the questioners today. I want to know about how we can do it better.

But in the meantime, let there be no doubt in this House that we have planned for 6,000 new spaces in the next three or four years. This in fact is over the provincially funded 25,000 spaces, so we now have 31,000 spaces. Let there be no doubt that we do in fact have the spaces for those who are qualified.

Yes, I will say that if you're talking about practice teaching, which we know a fair bit about on this side, I would be interested in your absolute best recommendations.

SEATBELTS

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. Statistics reveal that close to a third of the drivers and passengers who are killed in motor vehicle accidents are found not to have been wearing their seatbelts. Probably many of those deaths would have been prevented had they been wearing those belts. The importance of wearing a seatbelt, in my opinion, can never be overemphasized, and there's evidence that still more can be done to raise public awareness on this critical safety issue.

As a matter of fact, yesterday afternoon at just about this time in the village of Northbrook, I was fortunate to go through a seatbelt check being carried out by the OPP. I can also report that all of us in the car had our seatbelts on.

Minister, both myself and the constituents in Northumberland would like to know what your ministry is doing to encourage drivers to wear seatbelts.

Hon David Turnbull (Minister of Transportation): Yes, indeed, this is an issue which I feel very passionately about. Road user safety and vehicle safety is our highest priority. As you have correctly pointed out, in fact one third of the fatalities on our roads are people who were not using a seatbelt when they died.

Interjections.

Hon Mr Turnbull: I would have imagined that the members of the opposition would take this issue seriously. One third of all of the people who die on our roads are not buckled up then they die. They're subject to a \$90 fine and two demerit points.

On September 29, I launched the fall seat belt campaign in co-operation with police services and the insurance industry. A key component of this year's campaign is the seventh annual seat belt challenge. Some 2,000 volunteers will be at intersections in 150 communities, counting how many people are buckled up.

Mr Galt: Despite all of the effort and progress that has taken place, there still appear to be a number of people in Northumberland and across Ontario who consistently refuse to buckle up. I've been buckling up for over four decades and believe very much in the use of seat belts. I realize that there are many people who do choose to buckle up. What action have you taken to

ensure that all drivers and all passengers realize their responsibility of buckling up?

Hon Mr Turnbull: In fact, 91% of Ontarians are buckling up. That's the second-highest rate in Canada. But there is clearly more to be done.

In our spring and fall campaign, we targeted all of the people who are not buckled up. In the spring campaign, 635,000 vehicles were checked, 11,000 charges were laid, and 191 motorists were charged for child restraint violations. What we do know—

Interjections.

Hon Mr Turnbull: Why don't you listen? You might learn something.

Ninety percent of all child seats were not properly installed, so I appeal to everybody listening to this to make sure that child seats are properly installed. They may be a correct seat, but they may not be properly installed, and that leads to a great number of fatalities. We know that—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

SAFE STREETS LEGISLATION

Mr Bruce Crozier (Essex): My question is for the Solicitor General. Last Friday, the Muscular Dystrophy Association of Canada, in conjunction with firefighters across the province, held three news conferences: one in Kanata, one in Toronto and one in Chatham.

At the Chatham meeting, the Muscular Dystrophy Association announced that it could lose up to \$750,000 as a result of your safe streets bill. In fact, in excess of \$200,000 will be lost this year. Firefighters condemned your Safe Streets Act and its extremely negative impact on the voluntary fundraising efforts of firefighters across the province. As a direct result of the legislation, proclaimed in December of 1999, in large and small communities across the province, their fundraising efforts have been cancelled.

Your government, through the Attorney General, assured the Muscular Dystrophy Association and the firefighters that the focus of the act was on the so-called "squeegee kids" and aggressive panhandlers, and not charitable organizations. Why don't you honour your promise that this act would not impact on the fundraising efforts by firefighters and other registered charities? Why don't you exempt registered charities from the act and let them get on with their fundraising activities?

Hon David H. Tsubouchi (Solicitor General): I don't think anyone would disagree that the firefighters and a number of other organizations raise a lot of money for charities, and in fact we applaud that. I know for a fact that even up in my area, the Markham firefighters have a similar type of toll thing, but they have it on the grounds of Markville Mall itself.

I've been advised by the Attorney General that the Safe Streets Act does not prevent someone from soliciting money as long as that person is positioned on the sidewalk or on the shoulder, boulevard, median or other

place that is not a roadway. Clearly there is an intention to ensure that these types of activities would continue to go on. Secondly, we encourage the charities to work with the local police services in advance of these events so we can ensure that not only can they raise money for charities, but that they do comply with the act.

Mr Crozier: Minister, when you were first elected as the member from Markham, you came to this House to represent the people in Markham and, to some extent, the people in the province of Ontario. Now you carry the name "honourable" because you're a minister, and you have a much wider scope with which to influence the decisions of the government. So why won't you do the honourable thing and exempt charities from this act so they can get on with fundraising activities?

Minister, you know they're losing money. It doesn't take much of a government to admit you had a poorly drafted act that was more inclusive than you intended. You can do one of two things: you can take my private member's bill and pass that, and we'll do that unannounced, or you can do it even more quickly by bringing in amendments yourself, and we'll get unanimous consent on those as well.

1510

Hon Mr Tsubouchi: I would like to reiterate that the Safe Streets Act does not prevent someone from soliciting money for charity as long as that person is not positioned on the roadway itself.

I remind members of the House that the reason this act was passed in the first place was to make sure people in this province were not approached aggressively by panhandlers. Clearly we on this side know the difference between an aggressive panhandler and a charity. The charities can continue to solicit funds as long as they're not actually on the roadway itself. There are ways of doing this. Other communities have done this, and we certainly support firefighters or any other charity in their efforts to raise money for their charity.

CHARITABLE GAMING

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Consumer and Commercial Relations. The firefighters in my community were collecting for muscular dystrophy over the last weekend, but I've recently been hearing some concern raised about the future of the bingo industry in Ontario. Some bingo halls feel they are suffering as a result of the increase in casinos and slot machines around the province.

Minister, could you please explain what has caused the recent bingo hall closures, and what looks to be on the horizon for the bingo industry?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): There is no question there's been a rationalization of the bingo industry in Ontario, and that's primarily a result of the consolidation effort underway across the province by one of the major players in the bingo industry.

There are legitimate concerns about the future. They are being addressed. The Alcohol and Gaming Commission is meeting with operators, charities, municipal governments and others who have concerns in this area. I am meeting with officials as well, and we're working to meet the challenges of the industry.

Mr Johnson: It's good to hear that the future of bingo seems to be brighter in Ontario. However, some people may be concerned that the government is abandoning bingo in favour of flashier casinos.

Interjection.

Mr Johnson: Even the member for Windsor West might be interested in something in the Legislature.

Minister, is there anything else the province is doing to help bingos and other charities actively plan for the future to ensure they continue to prosper?

Hon Mr Runciman: A bingo advisory committee was formed to address the declining bingo matter and advise the Alcohol and Gaming Commission. The working group is made up of operators, suppliers and the Provincial Bingo Charitable Activities Association. They've developed a paper entitled *Charting Our Course: A strategic review of bingo and related charitable gaming*. That's been distributed to charities, bingo hall operators and licensing staff this past summer. The document focuses on both long- and short-term goals and objectives for the industry, including proposals for new games and new staffing models.

The group is currently receiving feedback on their paper and will present their findings to the Alcohol and Gaming Commission. As well, the commission continues to meet regularly with the group to deal with both day-to-day issues and long-term strategies to maintain the bingo industry.

NATIVE PEOPLE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. We know your government has been talking to the mining and logging companies about operations in the far north. For example, we saw your proposal for 10,000-hectare clearcuts last week. But your government refuses to talk to the only people who live in the far north, the First Nations.

Can you explain why you're willing to talk to mining companies about mining in the far north and logging in the far north, but you refuse to talk to the First Nations about revenue-sharing, environmental protection, resource management or anything else? Why?

Hon Ernie Eves (Deputy Premier, Minister of Finance): I don't believe that is the case; however, I will bring it to the attention of the Minister of Northern Development and Mines.

Mr Hampton: I have something else you can bring to the attention of the minister. It's a letter from De Beers to your government. De Beers is one of the companies that's been in the far north, and they've clearly been talking to your government. This is what they say to your government, "The whole question of aboriginal rights is

like a simmering pressure cooker in the northern part of the province.... Most of the communities have major socio-economic problems, chronic unemployment, poor health support and ... insufficient educational and training ... opportunities." Then, under "Revenue-sharing" they say, "We have emphasized the economic plight of the First Nation communities in northern Ontario. We believe the government of the province must commence negotiations with the First Nations to conclude a revenue-sharing agreement based on transferring to them a share of the taxes and other revenues received by the province." This is De Beers. They talk to your government. They're asking why you're willing to talk to them but not willing to talk to the First Nations themselves. What's your answer?

Hon Mr Eves: I did not say we were not willing to talk to the First Nations people. In fact, I've given you a commitment that I will bring it to the attention of the Minister of Northern Development and Mines. I quite agree that we should be talking to First Nations people, and I'm kind of surprised that the leader of the third party is now getting his advice and consultation for question period from De Beers.

ROAD SAFETY

Mr Michael Bryant (St Paul's): My question is for the Minister of Transportation. Minister, you're talking the talk about a crackdown. It's interesting, because last summer, while this House was not in session, 10,000 traffic tickets were thrown out of traffic court because we have less than half the number of justices of the peace today we had when your government came to power.

What is the point of having a crackdown if at the end of the day there is no trial or prosecution before a judge? What happened this summer?

Hon David Turnbull (Minister of Transportation): Clearly we're disappointed when any cases are thrown out of court. The principle our ministry works under is to make our roads as safe as possible. Since we became the government, we have enacted laws which have made our roads safer. We are now the fourth-safest in the whole of North America, and when any case is thrown out of court it is a great disappointment to me.

Mr Bryant: The concern is that the media strategy is very well thought out, but the legislative strategy has not been thought out at all. You undertake the crackdown but don't bother to check that you have enough justices of the peace. You've conceded here that there's a major problem; you've conceded that the government is disappointed. Will you tell us what you're going to do to deal with the fact that you're ticketing everybody and everybody is laughing at the ticket as they head home because they know they're never going to have their day in court. What are you going to do to solve the problem?

Hon Mr Turnbull: We recognize there is a problem dealing with traffic matters in the provincial court in Toronto, and we are committed to fixing this deficiency.

PETITIONS

INVESTIGATION INTO CHILD ABUSE

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I have a petition to the Legislative Assembly of Ontario.

"Whereas Garry Guzzo, MPP, Ottawa West-Nepean, has brought forward Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area; and

"Whereas Bill 103 has the public support of John Cleary, MPP, Stormont-Dundas-Charlottenburgh,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000."

I have signed the petition, as have 10,797 other residents of eastern Ontario.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I'd like to correct the record. I misspoke myself. Right-to-work means that an employee who goes into a union shop to work has the opportunity to opt out of the union and therefore collectively negotiate on his own.

Interjections.

Hon Mr Stockwell: It was just a definition. Sorry.

1520

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location ...

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and

eliminate the health care apartheid which exists presently in the province of Ontario."

This has been signed by a number of residents in my community, and I agree with them. I want to thank Gerry Loughheed Jr for all his efforts to get these signatures.

EDUCATION FUNDING

Mr Richard Patten (Ottawa Centre): This is a petition to the Legislative Assembly of Ontario, the Premier and the Minister of Education:

"Whereas the current school funding formula needs to be amended to allow for flexibility in considering unique qualities in inner-city neighbourhood schools; and

"Whereas the current formula will render vibrant city centres like Ottawa unattractive to families as a result of school closures;

"We therefore request an immediate review and amendment of the formula to address the unique situations of inner-city schools and ensure quality schools for all children.

"In addition, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, strongly object to the closing of Ottawa's Elgin Street Public School, a vital and essential part of the social, economic and civic life of our community. One less school downtown is one less reason for families to live downtown."

I affix my signature to this petition as well.

NORTHERN HEALTH TRAVEL GRANT

Mr Howard Hampton (Kenora-Rainy River): have a petition signed by several people from north western Ontario and it reads:

"Whereas the Ontario government has provided fund so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I affix my signature as well.

Mr Rick Bartolucci (Sudbury): This is a petition to the Ontario Legislature and concerns northerners demanding the Harris government eliminate the health care apartheid which exists. These signatures were garnered by Mrs Teresa Doan from 13 Montgomery Street in St. Marie, and I proudly read the petition into the record.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.

"Furthermore, be it resolved that we, the undersigned, petition Mike Harris—who is in Sault Ste Marie this evening—to ensure that this health care apartheid ends immediately."

I proudly affix my signature to this petition.

The Acting Speaker (Mr Tony Martin): Further petitions? The member for Sarnia-Lambton. I'm sorry, I got us out of sync here. I do this on a regular basis, it seems. The member for Beaches-East York.

Ms Frances Lankin (Beaches-East York): It's really bad when you do it to one of your caucus mates, Mr Speaker.

This petition to the Ontario Legislature is from northerners who are demanding that the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed (Ontarians Seeking Equal Cancer Care,) founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario,

Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

As a former Minister of Health in this province and as the health critic for the New Democratic caucus, I affix my signature in full agreement.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection and vest too much power in the hands of the founders, who have been more than compensated for their generosity;

"Whereas the passage of Bill 112 would diminish the authority and responsibility of the board of trustees, limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers, and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature to this petition.

NORTHERN RURAL MEDICAL SCHOOL

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Parliament of Ontario:

"Whereas the undersigned residents, living in the city of Thunder Bay in northwestern Ontario are in need of a northern rural medical school situate in the city of Thunder Bay to provide said residents with quality health care services; and

"Whereas it is important for the future of northern Ontario to develop and provide high quality medical education shaped for the needs of rural/regional, and other aboriginal northern populations; and

"Whereas such a northern and rural medical school will produce more doctors with the knowledge, skills and interest in practising rural and northern medicine, and will provide an academic and research infrastructure to support physicians teaching and practising in the north;

"We, the undersigned, petition the Legislature of Ontario to create a northern rural medical school."

This is signed by over 300 residents in support of that call on the government to provide a northern rural medical school. I affix my own signature in full support of their concerns.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have more petitions to add to the thousands that have already been presented here in the Legislature.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

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"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

These particular constituents who have signed this are mostly from the Elliot Lake area.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have yet again further petitions from the Canadian Auto Workers, forwarded to me by Cathy Walker, the national health and safety director. These petitions were generated by Cecil Mackasey and Rick Rose of CAW local 222 in Oshawa.

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in the workplace; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I continue to support these petitioners by adding my name to theirs.

LORD'S PRAYER

Mr Garfield Dunlop (Simcoe North): I have a petition to the Legislative Assembly of Ontario.

"Whereas the prayer, Our Father, also called the Lord's Prayer, has always been used to open proceedings of municipal chambers and the Ontario Legislature since the beginning of Upper Canada under Lieutenant Governor John Graves Simcoe in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'll sign that as well.

INVESTIGATION INTO CHILD ABUSE

Mr Jean-Marc Lalonde (Glengarry-Prescott Russell): I have a petition here with over 1,000 names that comes from Alexandria and the county of Glengarry.

"To the Legislative Assembly of Ontario:

"Whereas Garry Guzzo, MPP, Ottawa West-Nepean has brought forward Bill 103, 2000, An Act to establish commission of inquiry ... into the investigations b

police forces into sexual abuse against minors in the Cornwall area; and

"Whereas Bill 103, 2000, has the public support of John Cleary, MPP, Stormont-Dundas-Charlottenburgh;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000."

FARMFARE PROGRAM

Mr David Christopherson (Hamilton West): I have a petition from the United Farmworkers, forwarded to me by Stan Raper, their representative.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits; and

"Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative; and

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

On behalf of my NDP colleagues, I add my name to these petitioners.

ORDERS OF THE DAY

ELECTRONIC COMMERCE ACT, 2000

LOI DE 2000 SUR LE COMMERCE ÉLECTRONIQUE

Mr Martiniuk, on behalf of Mr Flaherty, moved third reading of the following bill:

Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication / Projet de loi 88, Loi visant à promouvoir l'utilisation des technologies de l'information dans les opérations commerciales et autres en éliminant les incertitudes juridiques et les obstacles législatifs qui ont une incidence sur les communications électroniques.

Mr Gerry Martiniuk (Cambridge): Mr Speaker, I believe we have unanimous consent in this House to provide this afternoon's debate equally among all three

caucuses until approximately 6 pm, and at that time the question on third reading will be put.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? Agreed.

Mr Martiniuk: I will be sharing my time with two members of my caucus, the member for Northumberland and the member for Simcoe North.

It is my pleasure once again to rise to speak to Bill 88. A similar bill was presented by my good friend and colleague Mr John Hastings, and though this is the bill of the Attorney General, it is similar except for small differences. I compliment my colleague Mr Hastings for his initiative in bringing this matter to the fore.

This is a government that keeps its promises. We promised to create jobs. We promised to cut red tape. We promised to attract business. I am proud to say that we have kept all of those promises.

Ontario's economic engine is moving forward and consumers are once again confident. Since 1995 we have created over 725,000 new jobs. I remember when we first released the Common Sense Revolution, which was in May 1994. I had just been nominated to represent the Progressive Conservative Party in the riding of Cambridge and I remember one of the promises in our plan was that we would be creating over 700,000 badly needed jobs in this province. If you take your mind back to that time, this province was in a state of disarray. This province seemed to be without hope. We are on track to our goal of 825,000 new jobs as promised in the election in 1999.

We have cut red tape by presenting over 12 red tape bills.

We have attracted an unprecedented amount of business and investment to Ontario.

The Electronic Commerce Act is also about cutting red tape and giving Ontario business a boost. The Electronic Commerce Act would cut red tape by removing outdated legal barriers to e-commerce. This would help to ensure Ontario's competitiveness and bolster forward-looking businesses.

We are now living in a world where people are shopping on-line, banking on-line and downloading information at an unprecedented rate. The electronic world is here now. The electronic world of business is booming.

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During the next three years, it's estimated that worldwide e-business will reach US\$1.3 trillion annually. For Ontario, that means creating new jobs and the potential sale of millions of dollars in goods and services.

Progressive Ontario companies are embracing the future by going on-line. Ontario consumers can now browse through virtual auction houses and superstores. With a simple click of the mouse, we can purchase anything from books to clothes to household supplies and even big-ticket items such as automobiles.

It is a well-known fact that any successful business must be creative, modern and competitive. But the uncertainty surrounding the world of e-commerce is hinder-

ing some companies from expanding in the e-world. They are prevented from signing electronic contracts because our laws recognize contracts signed only on paper. A law governing contracts may require documents to be in writing or in original form. This is not the way to attract electronic investment and business to Ontario.

Ontario must be on the leading edge electronically or on-line business growth will be inhibited or, yet worse, go elsewhere. If passed, the Electronic Commerce Act would ensure that electronic contracts, documents and signatures have the same legal effect as their paper counterparts. This bill would truly strengthen public and private sector confidence in e-commerce, and it would signal to the world that Ontario is progressive and competitive.

Over the course of the last few months, we have listened. We've had discussions before the bill was introduced and at the committee stage. I'd like to take this opportunity to thank the committee for its work on this groundbreaking bill.

We have heard from many businesses that agree Ontario is taking a leadership role in the e-commerce world; companies like IBC Canada, which have publicly called on other provinces in Canada to adopt similar measures; companies like Teranet, which have commended Ontario for recognizing that e-commerce has the potential to simplify and enhance the profitability of businesses. These companies know that this bill is vital for the positioning of Canadian companies as world business leaders.

In short, they know that the Electronic Commerce Act will make Ontario competitive on a global scale. In fact, the act is based on the United Nations model law on e-commerce. That means, if passed, that Ontario law will be consistent with e-laws around this globe, because we know that the world of e-business has no borders and the laws that govern e-business should also be borderless. Ontario is one of the first provinces in Canada to be moving forward with an e-business bill of this type. Other provinces have or are expected to follow suit with their own versions of the UN model law.

We believe that this bill will strengthen business confidence and consumer trust in their on-line transactions. Although 80% of e-business is done between businesses, consumers need the confidence that their transactions have legal certainty and clarity. Consumers want their dealings with business to be enforceable, and this bill addresses that concern.

A recent survey found that on-line Canadian shoppers buy more products and services from Canadian Web sites than from US counterparts. We believe this bill will strengthen and help this trend. However, many consumers may still be hesitant to shop and buy on-line. Some people are worried about their privacy. They don't want their personal information misused.

We take their concerns very seriously. While drafting this bill, we had extensive discussions with staff at the Information and Privacy Commission. The commission gave us important feedback. We listened and made sure

this bill would not override privacy and access to information statutes. We also made sure this bill would not apply to biometric information, such as fingerprints, iris scans and voice recognition technology, unless such use is authorized.

In addition, the laws of Canada that already exist to protect individual privacy are applicable to on-line transactions as well. Most recently, the federal government passed the Personal Information Protection and Electronic Documents Act. It protects personal information used for commercial purposes under federal law or, interprovincially, as of January 2001. In Ontario, the Ministry of Consumer and Commercial Relations is also reviewing the privacy issues in a provincial context.

As well, if passed, our bill would set up rules for automated transactions and for correcting mistakes made on a computer. For example, when dealing with an electronic agent like a Web site, the act would allow people to cancel mistakes unless the merchant provided a mechanism to correct mistakes at the time of the order. This would encourage merchants to design their Web sites with a confirming "Are you sure?" message.

This bill is enabling legislation. That means it does not require anyone or any business to use or accept electronic communications. No one will be forced to go electronic before they are ready and they choose to go electronic. The act will simply ensure that electronic communications will not be invalid because of the laws that require the use of paper documents. This gives consumers and businesses the flexibilities they need in dealing with one another.

We created this bill to bring the province into the vast and infinite world of electronic commerce, but we recognize that boundaries are necessary. That is why we built into it some strong safeguards to ensure it does not overstep its goals. The act would not apply to wills, personal powers of attorney, land transfers or election documents. We have excluded these kinds of documents because they require more detailed rules. The act also would not override existing provincial laws and regulations that already permit or prohibit the use of e-documents.

As a further precautionary measure, we have ensured that the Lieutenant Governor in Council would have the ability to add to the list of documents to be excluded from the statute. These are the safety mechanisms which are an essential part of the Electronic Commerce Act. I passed, the Electronic Commerce Act would open Ontario's doors to the world of e-business. We would be demonstrating to the world that Ontario is progressive and innovative. By looking forward and validating electronic documents and signatures, this government is seizing an exciting opportunity. This government is leading the way. This government is keeping its promise to create and promote a strong and vibrant economy.

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The Acting Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): It's a pleasure to be here this afternoon, speaking to Bill 88. I'd like to

thank the Attorney General for bringing this important piece of legislation forward.

I'd like to start off by thanking the parliamentary assistant to the Attorney General, who spoke so eloquently about this important piece of legislation designed to put our province in the forefront of information technology. I'd also like to thank the parliamentary assistant to the Minister of Transportation, Mr John Hastings, for his interest in e-commerce. At different caucus meetings and in my conversations with Mr Hastings, he has shown a lot of interest in e-commerce. It's interesting to see that he had earlier put forward a private member's bill, and it's nice to see that the Attorney General has carried this forward.

I think my first time dealing with things like e-commerce or faxes goes back about 10 years ago when I initially purchased a cottage up on the Severn River near Big Chute. The owner of the cottage was living in France at the time, and we had to put in an offer to purchase. It was interesting to see that the offer was signed back and forth over and over again as we tried to come up with a deal. To see his signature going back and forth between Canada and France was a very interesting time in my life as we purchased a cottage, but it was also very interesting to see the deal take place over a fax machine.

The growth, expansion and potential of the Internet are limitless. Over 300 million people around the world access the Internet on a regular basis. Currently, Canada is the seventh most-wired nation in the world, according to the Internet Industry Almanac. Over the next three years it is estimated that worldwide e-business will reach J\$1.3 trillion annually. It is estimated that 2.1 billion pages make up the Internet as we know it. Last year a mere 755 million pages were counted. I think it's safe to say that the Net is experiencing major growth right across our planet.

Similarly, our provincial economy is growing and expanding at an unprecedented rate. Since the throne speech in September 1995, Ontario employment has increased by 768,000 net new jobs, accounting for approximately 48.7% of the national job growth rate. Of course, we contribute about a third of the population of Canada.

Since the June 1999 election, Ontario has gained 17,000 net new jobs and, as mentioned earlier by the PA to the Attorney General, our plan is to create another 25,000 net new jobs in this mandate itself.

Ontario cannot afford to lag behind when it comes to attracting new investors and investment. That's why this government is moving forward in the area of e-commerce. We recognize that the new millennium is bringing with it an unprecedented level of electronic technologies and opportunities.

The government's Electronic Commerce Act is a progressive and innovative bill that will assist Ontario's e-commerce businesses with their growth and expansion. This act is the first piece of legislation which, when passed, will establish the necessary legal e-commerce support for the people of Ontario to prosper in 21st cen-

tury commerce. As my colleague before me, Mr Martiniuk, mentioned, the bill would unleash a wealth of business opportunities for progressive Ontario companies.

Statistics Canada reports that in 1999 at least one in 10 Canadian companies had embraced the use of e-mail and Internet technologies, at least one in 10 Canadian companies had used the Internet to sell goods and services and 53% of private sector Canadian businesses use the Internet in one form or another. These numbers reveal the tremendous growth potential of e-commerce in Canada and in Ontario in particular. This government is responding to Ontario businesses by introducing this bill.

I would like to take this opportunity today to highlight some of the important aspects of this bill. If passed, this act will strengthen public and private sector confidence in e-commerce by ensuring that electronic contracts, documents and signatures have the same legal effect as contracts, documents and signatures on paper.

We'll also set up rules for automated transactions and for correcting mistakes made on a computer, and we'll adopt national and international standards for e-commerce law.

It will also boost consumer confidence and protection in e-business, not that that really has to be done. So many people today rely on e-commerce that I don't think we actually have to get a lot more confidence in it.

Individual privacy and security of information is paramount. The legislation would apply to all electronic commercial transactions. This proposed legislation incorporates a number of provisions designed to enhance privacy. For example, the bill does not permit people to collect finger or iris scans or voice recognition information about individuals without their consent.

The bill reflects the consultation meetings that the Attorney General has had with the Information and Privacy Commission, and the chairperson, Ann Cavoukian, who said, "The consideration and attention given to our recommended changes was most appreciated." We realize the implementation of new technology creates potential risk to privacy. This government will continue to work to ensure that privacy is ensured.

In drafting this bill, our government has listened to the concerns of the people of Ontario about Internet and computer fraud. It is important to point out that fraud is still fraud and theft is still theft. The Criminal Code makes it illegal to (1) steal information from a computer; (2) gain access to a computer without authorization; and (3) possess a hacker's tools without good cause. Our government understands that with the advent of new technology comes the advent of new types of crime. To combat computer-based crime the Ontario Provincial Police have a technical crime support unit to protect the information superhighway against those who want to abuse it.

The proposed legislation is drafted by using current models that are used in other jurisdictions. Those models include the Uniform Electronic Commerce Act, adopted in 1999 by the Uniform Law Conference of Canada, a

federal-provincial-territorial legal body. Ontario is one of the first provinces to introduce a proposed e-commerce law which follows the principles of the United Nations model law on electronic commerce.

As you can see, this government has gone to great lengths to ensure that this bill meets the needs of businesses in the 21st century. But at the same time, we've built into it some strong safeguards for flexibility. The bill does not promote any particular technology, but it provides legal clarity for those who wish to use this new technology. If a company or a person would rather use paper contracts, they are free to do so.

For those who deal with the government, it's important to note that nothing in the act authorizes a public body to require people to accept documents in electronic form. That means the government will not discontinue providing its quality services in a traditional, non-electronic way. Ontario businesses and consumers will continue to have clear choices and flexibility in the way they do business, with their government especially.

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I am pleased to say there is tremendous support for this legislation. John Wetmore, president and CEO of IBM Canada, said, "We would encourage all provinces in Canada to adopt similar measures to Ontario and help position Canada as a leader in e-commerce."

John Miller of the London Free Press said, "Certainly, security and privacy are key components required to be dealt with through e-commerce legislation. With these components addressed, paper barriers will be removed and e-commerce will be able to achieve its full potential."

To me, among the most important elements of this bill are provisions to cut red tape and remove outdated barriers to e-commerce, and keep Ontario globally competitive. This proposed act will encourage investment and investor confidence in Ontario by eliminating uncertainty about the laws that govern e-business.

Our government understands that the Internet and new technologies can be used to help strengthen our communities and create even more jobs for Ontarians. In 1997 our government established the volunteer action on-line program through the Ministry of Citizenship, Culture and Recreation. This program funds voluntary organizations to work in partnership with business and others in the community to enhance their own work and the effectiveness of the volunteer sector through the use of Internet technology and the World Wide Web.

In March this year the Ontario Education/Industry Foundation received funding to establish a Web site linking all volunteer organizations in Orillia and the surrounding area. I'd like to thank Minister Wilson and his staff for their approval of this very important local initiative in my community.

This network will provide volunteer organizations with the capacity, first of all, to expand their volunteer recruitment—and we all know the value of volunteers in all parts of our society—to maximize their organizational efficiency and reduce administration costs, a goal of

almost every organization in our province; to share expertise among similar organizations; and to better respond to the future needs of our community.

The Ontario Education/Industry Foundation operates the Georgian Bay Career Centre in Orillia, which provides career counselling and assessment services to both students and adults. Recently the centre had developed an interactive CD-ROM called Career Clicks to help students make important career choices. It was really interesting, a few weeks ago, to have Kathy Gallacher of the Georgian Bay Career Centre come down. We had a meeting with Minister Cunningham and talked about a program in Career Clicks called Women in Apprenticeships. She showed the minister the first CD-ROM she had built using Women in Apprenticeships.

It was a private partnership involving some of the radio stations and a lot of the companies in our community, and the CD-ROM showed different women tradespeople who were successful in receiving their licences in welding, tool and die and electrical, as well as being chefs. It is a program Ms Gallacher wants to see expanded to other trades, and she feels it could be used as early as grades seven and eight as well as with all the girl students in high school. It would be used with all young women who would like to enter apprenticeships in the future.

The development of the CD-ROM was with the technical support of Georgian College. I am very proud of Georgian College in my community. It's one of the better post-secondary education institutions in Ontario.

Like many members of this Legislature, I am using the Internet myself to help represent the people of Simcoe North through a Web site that was launched last February, which I'll give out for Hansard: www.GarfieldDunlopMPP.com.

Mr John Gerretsen (Kingston and the Islands):
How do you spell Garfield Dunlop?

Mr Dunlop: I suppose a number of people have similar sites, and I'm sure Mr Gerretsen would like to tap into my Web site sometime. This Web site helps the people of my constituency receive more information and provides them with another tool in voicing their concerns to me.

Our government understands the importance of adapting to new technology. New technology will create new jobs over the next many decades, and we have to be on side on this. This bill will set the framework for a new economy.

I'd like to thank my colleague the Attorney General for his vision and hard work in bringing forward this bill. I'd also like to thank the committee for its work during the public hearing and clause-by-clause, listening to and responding to the comments and concerns of the people of Ontario. I think it's a good bill. I'm so pleased here today to see that we'll have all-party support on this bill. I think it's very, very important for the future of the province of Ontario that everyone is on side on this. We have to do business through e-commerce and through the technology that's available to us today. I thank you for

the opportunity of saying a few words here this afternoon.

Mr Michael Bryant (St Paul's): I'll be sharing my time with the member from York Centre and the member from Kingston and the Islands.

Obviously, on behalf of the official opposition, we support this bill. We supported it in previous legislative debate and we supported the private members' bill introduced by Mr Hastings. We applaud him for that effort. Obviously, the bill is soon going to become law. Ontario Liberals support the establishment of any law that is going to facilitate certainty in the commercial sector, and the use of electronic media in particular, to conduct legal agreements and transactions.

There is always a concern, although we never have a final answer to the important issue of two parties trying to enter into an agreement, is there a meeting of the minds? There will always be instances of litigation. There will always be fights between parties that are settled in courts. It is important, as much as we can, as a legislative body, to head off those fights where at all possible, to lend a measure of certainty where at all possible.

This is going to be no panacea, as much as I do believe that the ministry and the justice and social policy committee has worked hard to try and close off loopholes. The truth is, until this gets out into the marketplace and is tested in the marketplace and is subjected to the various challenges that will come forth and the fact situations that could not have been anticipated, this will not be the final word on this. I would just hope that the government would take the approach that no longer do we live in an age in which governments can once and for all legislate on a matter and thereafter brook no change, and that if amendments are needed afterwards, amendments are sought and made.

The province of Saskatchewan passed legislation on this very topic, on e-commerce, I guess it was about a year ago. They have had to introduce a number of amendments subsequent to that. I know that the province of Ontario has tried to learn from that exercise, but believe me, there is a never-ending number of fact situations that could not have been anticipated. But this does go some way to try and tackle that.

I wouldn't say, because this isn't a partisan debate, that the legislation is overdue, but there was much discussion on behalf of the government members on what a wonderful job they are doing in passing this bill. We support the bill and I don't want to take anything away from that, but let's be clear here: this legislation is required by law. It's required by a federal bill on e-commerce and privacy enacted on April 13, 2000, which contains a requirement that all provinces must enact provincial legislation to deal with those matters that fall under their constitutional responsibilities as opposed to federal constitutional responsibilities. Failure to do so after three years will result in some consequences.

So as much as we do support this legislation, there is no invention of the wheel here, legislatively speaking.

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Firstly, Saskatchewan beat us to the punch, but better late than never. Secondly, this legislation, as I say, is required under federal legislation. The federal approach—let's be frank about it—combines both the e-commerce technical issues with the privacy issues.

I don't think the government has, in its speeches today or otherwise, intended to suggest that this bill, the Electronic Commerce Act, addresses the important privacy concerns that I know, among other things, the privacy commissioner has expressed. Our support of Mr Hastings's bill and our support of this bill are predicated on the understanding that in fact appropriate privacy legislation is forthcoming. If this is the last word on e-commerce privacy, then that's certainly news to the official opposition.

It's been said also that this bill is minimalist. Sure, the bill is not trying to in any way upset the market out there that is currently evolving at a rapid rate in cyberspace. The bill borrows, in large part, the principles and the provisions set forth in the 1999 Uniform Law Conference of Canada Uniform Electronic Commerce Act, which provides a legal model for e-commerce transactions.

The concern here, to put it in terms we have to deal with it in day to day transactions, is that I go on the Internet and I want to buy something. Let's say I decide I want to buy a book over the Internet, and I accidentally—well, I don't accidentally. I click a button and suddenly find I've ordered 100 books. What was my intention? What were the requirements that had to be met by the company selling the books? What due diligence, if you like, did I have to undertake? What did clicking "I agree" mean?

These are all the technical issues that were approached by this bill. This bill tried to tackle them as best it could so that people know that when they click "I agree," in fact it means precisely what is required, sometimes, in terms of the fine print.

Besides the consumers, on a far greater scale is the electronic commerce taking place nationally, obviously intraprovincially as well. We need to have some certainty. Since so much commerce is increasingly taking place over this medium, what are the rules?

The old contract law that's still being taught today makes reference to the issue of having a seal on the document, what the relevance is of having a signature on a document. It all comes back to some very central components of the offer and sale, the agreement and how enforceable it is—an enormously complicated area that one spends a lifetime trying to get one's head around, or at least it's enormously complicated to me. Among other things, is there a meeting of the minds? How does one enforce that? Well, this bill looks at matters like, what's a signature, and what's an electronic signature, and what does that mean? And what does it mean when you click "I agree"? These are very technical matters, undertaken very seriously by members in the committee, of course with assistance from the Ministry of the Attorney General and the staff at that ministry. I think everybody

has done an excellent job trying to cover all the loopholes.

There are some counsel that sit on that committee. MPPs are not supposed to sit there as lawyers; we're supposed to sit there as members. To the extent to which we can bring our background to bear in the discussions and the debate, so be it. But we're not there to pronounce upon our own legal opinions. We're there to represent a constituency and, in some cases, fulfil our legislative responsibilities as a critic.

It occurred to me, with the attention and the diligence that was being devoted to this bill—and again, I can't emphasize enough that we're not magicians here. We can't look in a crystal ball and anticipate every problem coming down the pipe, particularly in a marketplace that is literally changing every day. I know that's a cliché, but it's also true.

That said, with the diligence devoted to this, I couldn't help but think, if only we could devote the same kind of sobriety and invest the same amount of time and effort in debate and in committee work to other bills that have been put forward by this minister.

I had a pretty good sense of what this job was all about before I got elected, but I hadn't served, obviously, in the Legislature before 1999. I thought, "Fine, there's a tremendous amount of rhetoric that takes place in the House, and fine, it's going to carry on into committee work." But I actually thought, as a student of politics, amateur as I may have been and am today, that in fact members would debate at length, that amendments would be tabled, considered and received, and that matters would go to committee so that the public would have an opportunity to provide their submissions. The committee would recommend amendments, clause-by-clause, and off it would go.

But that has not been my experience since June 1999. I don't want to dwell on that point, but we gave this attention to the e-commerce bill, which, in the words of the Attorney General himself in the compendium, is minimalist legislation. If minimalist legislation can get this kind of attention, what about legislation which has an enormous impact on all Ontarians, or at least purports to have an enormous impact on all Ontarians? One of the so-called flagships in terms of initiatives in legislation put forward by the 1999 Harris government was the squeeze bill—a closure motion, rammed through, limited committee hearings. I think it ended up being a few hours, and that was it. No amendments were considered.

The Parental Responsibility Act: I had amendments I wanted to table. I thought we would go off to committee and consider that bill. It didn't happen. I only wish that the same attention were devoted to other bills, and I'm just talking about the minister since 1999. I'm not even talking about other ministries right now.

That is to take nothing away from the efforts and the time devoted to this bill, and I obviously applaud the efforts and the time devoted to this bill—the time in debate, the time in committee, and the time spent going

around to other communities. But even then, not as many communities were visited as would have been the wish of the entire committee. That happens, of course, sometimes. We have to put some limits sometimes on some debates. But for important issues such as this one and, frankly, even more important issues such as were being introduced on a fairly regular basis—not regular enough, because this House isn't in session enough—by the Attorney General, we should get the same kind of attention. Not just this red-tape-cutting, technical-clarifying bill which tackled such issues as—let's look at some of the issues that we considered in the hearings. It was, what is the meaning of writing, as in electronic document writing? What is an "original" electronic document? These are the questions and issues raised in the compendium of the act.

I wish we could have looked at the meaning of the Parental Responsibility Act, what other remedies might have been available; how we might have closed the loophole to stop the crackdown on charities that is taking place as a result of the squeeze bill. If we can take anything that goes beyond the scope of the bill in future debates, it is that we ought to be spending the same amount of time on other bills, frankly, of far greater impact on the lives of Ontarians.

I would ask, also, all those who are interested in this issue to consider the important contributions made by Mr Hastings in the debate that took place in private members' business. Some discussion was made at that time of an excellent piece that was published in a national newspaper by Professor Michael Geist. He's at the University of Ottawa law school, and has really become an expert on the Internet and e-commerce transactions. He has made important contributions there. He's very much in support of legislation such as this. I don't know if he's spoken directly on this or not; he probably has.

The article is from October 21, 1999. He sets out the history of all this. It reminds us that we've had this issue before us for really nearly 10 years, notwithstanding the claims of a certain vice-presidential candidate for inventing the Internet. In fact, we've had these important legal issues before us for some time. We're now addressing them, and we applaud that on this side of the House.

I know that Saskatchewan has also introduced the legislation, as I made reference to before. Quebec has made a commitment to introduce the legislation. Whether or not it has actually been tabled before the National Assembly, I confess I'm not aware. In the United States, similar so-called Digital John Hancock legislation was introduced in June 2000.

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It is good Ontario is joining the parade in terms of clarifying our position on e-commerce and on the legal consequences of e-commerce transactions. This is a good legislative exercise for all concerned, in terms of trying to get it right. I do hope the government does anticipate the fact that while it has done its best with this particular bill, the committee's done its best and the hearings have done their best to try to anticipate problems in the future.

it recognizes that some amendments may come down the pipe that we didn't anticipate, not unlike the crackdown on charities taking place under the squeeze bill. Perhaps through private members' business we're able to make those changes so we can take private members' bills and have the government adopt them. We've seen that happen at least a couple of occasions in the last few months.

Further, we can undertake some housekeeping so that what we do in this Legislature and what we do in committee actually has an effect on the legislative process and defies the assumption that I think a lot of people hold today, rightly or wrongly, that all is controlled from the centre. If we have a role to play here as legislators, this bill gave us an opportunity to do that.

Mr Doug Galt (Northumberland): I appreciate the opportunity to join with my peers in debating Bill 88, the Electronic Commerce Act, 2000.

This bill is first about eliminating red tape. It's about modernizing government and its operations with the regulations and the rules and the legislation that we have. It's about investment, and certainly there is a tremendous amount of investment that's taken place in the province of Ontario over the last five years, not to mention the number of jobs that have been created in the province of Ontario. This bill is about job creation, one of the many things it will certainly help with.

Mr Speaker, I'd like to bring this fact to your attention, as well as that of many others in the House here today, that when we speak of jobs, in the month of September there were some 18,100 net new jobs in the province of Ontario. At the same time, the unemployment rate fell from 6% to 5.8%. They talk a lot about concern with youth unemployment. In that very month, youth employment was up some 5,900 jobs.

I think it is exciting that, since the throne speech back in September 1995, Ontario employment has increased by some 768,000 net new jobs, accounting for 48.7% of the national job growth during that period of time. Since the tax cuts back in July 1996, Ontario has gained some 31,000 net new jobs. Since June 1999, we've gained approximately 217,000 net new jobs.

I think it's kind of interesting if you look at this and see what this really translates into. What we're talking about here is that, since the last election, some 3,145 jobs have been created per week in the province of Ontario. Since we took office some five years ago, we've created 1772 jobs per week, certainly indeed a record to be very proud of.

That's part of why this bill's coming in, to speed that up even more. You can see how much it's been speeding up. That first four years only, if you work out over those four years, it was 2,471, and since this last election we're up to 3,145 jobs per week. The acceleration is picking up, and bills such as this one, with electronic signatures, is one of the things that will increase job creation here in the province of Ontario.

Along with cutting red tape, this is about boosting on-the-job growth, getting on to the Internet and more activity,

more modernizing. It's about removing outdated legal barriers that really no longer apply with the electronic age we're presently into.

This bill is really talking about electronic contracts that have the same kind of legal force as you would in the past envisage: signatures on contracts, signatures on documents etc. But it's not something that's being forced on anyone. If this is the choice you would like, you have that ability to decide. You can still, yes, ask for it on paper if that's what you want. But when it comes to standing up in court etc, the fact that it's an electronic signature going out is all that's necessary.

Sales on the Internet are mushrooming at absolutely a phenomenal rate. Something like a century ago, in the railway era, the Eaton's catalogue came out. What a boost to people, especially in rural Ontario. Like in my riding in Northumberland, they now had the opportunity to buy from the big city without having to travel there. They had a catalogue to leaf through. Now, 100 years later, electronically we can check around the world and make purchases or make sales. We can put it out there for sales as well.

Thirty years ago, computers were almost something off into the future. Yes, we talked in the 1960s a lot about computers, but they were punch cards and they really were not the electronic wizardry that we have today with the computer chips that now operate them. It really started back in the early 1990s, this whole Internet activity, when just a few libraries, a handful of people, were exchanging by Internet. In 1993—a little after that—it grew to some 50,000 Web sites out there. Now today, we have, I understand, in excess of 250 million Web sites that are out there functioning.

I was recently told that Internet activity is doubling every 100 days. What a phenomenal growth rate, when you think of Internet activity doubling every 100 days. In the past, we've talked a lot about how computers have changed and it's so difficult to keep up with the technology. Recently I heard an individual futurist speaking, and he held up a birthday card and played "Happy Birthday" from it. He informed us that that birthday card did have more computing ability than we had in the world at the time that the man landed on the moon, the man who was sent up from NASA.

Just to give you some indication of the computing power that we have today, our little pocket organizers, which so many of us carry with us to keep us on track with our schedules and phone numbers etc, have far more computing power than a lot of desktop computers had only 10 years ago.

A lot of people don't think they're actually using computers. But they drive a car, they operate modern appliances, they use a telephone, and a lot of them use automatic bank tellers. Most of the time they are in fact using a computer. It's very user-friendly; I agree with that. Nevertheless, the little chip is in there and it's doing a lot of these jobs for them when they turn the handle or push the button or whatever.

This particular bill has quite a bit of meaning. It was a commitment that we had in the Blueprint back in the spring of 1999, again, a Blueprint that talked about investment, talked about jobs. This is indeed what we're doing as we follow through with this particular bill. It's great to see the members across the House nodding in agreement. It's nice to also know that they're supporting this particular bill.

What new opportunities we're going to have once this bill comes forward for business, for consumers. No longer will it be that Eaton's catalogue I talked about of a century ago; it'll be inviting investment around the world.

When you talk about investment, I was pretty excited last Friday to be in Quinte West to assist with the opening of a new plant, a plant that has been operating for several months making plastic tubing for the medical community. They're shipping literally all of their product around the world. Some, of course, is being used in Ontario and Canada, but the major portion is going outside. This is GlobalMed, some 70 employees working in this plant. Very shortly, we're going to be turning sod in that same community for Great Dane Trailers, some 500 jobs that will be created in that plant just around the corner from Globalmed. This is the kind of investment that's occurring here in the province.

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The thing that's interesting in this particular bill is that there's also recognition that you can push the wrong button in a computer and, lo and behold, there is the ability for error correction that a lot of us, I'm sure, as we move into the whole area of e-commerce, are pretty concerned with. If you do your banking either by e-mail or Internet or on the phone, you'll realize there are many double-checks that you can use.

This bill is moving along to adopt the international model of legislation that was brought in by the United Nations. It's also recognizing that it will be consistent with the national legislation that has been brought in in Canada as Bill C-6. It's interesting also, as I hinted at a little while ago, that there's a choice, but also there will be no pressure that people have to use this particular activity when they're carrying out business. They can still use the old technology if they prefer. Also, this legislation does not prescribe a particular type of technology that must be used; it's just any of the electronic type of technology that is out there.

This bill, as I alluded to a moment ago, is consistent with what is going on in other jurisdictions, certainly the model of the United Nations and also the one with the Canadian government. As well, around the world this type of legislation is coming into place—in the United States, Australia, Singapore, Hong Kong, Ireland, India, Argentina and Columbia, just to name a few. Recently in Australia there was e-commerce legislation. This was the Electronic Transactions Act of 1999. Their regulations came into effect on March 15 of this year.

As the opposition has pointed out, we're not quite the first jurisdiction in Canada to move ahead, but we're

right along with the first ones. Saskatchewan introduced one back in May of this year; in Manitoba I believe it was June 5 this year that they introduced a bill; and Quebec, as I understand, is currently developing one, and if they haven't introduced it recently they will be in the not-too-distant future.

There was an interesting quote that I came across back last spring. It was in the National Post. I'd like to share this quote with you. It's from John Wetmore, the President and CEO of IBM Canada Ltd. He said, "Governments around the world are taking steps to ensure electronic signatures and documents are legally recognized. In Canada, private contracts are a matter of provincial jurisdiction. We would encourage all provinces in Canada to adopt similar measures to Ontario and help position Canada as a leader in e-business." This is the kind of support we're receiving, and it's also great to see support coming from across the House. It's being recognized in some of the consultations of the Attorney General with the Ontario privacy commissioner that privacy will be protected. It goes on to say, "If passed, the new bill would prohibit organizations from collecting 'biometric' information, including finger or iris scans, signature information, or voice recognition, without consent from the individual."

I alluded a few minutes ago to some of the changes we've been seeing with computers, but there are just so many things that are happening out there. I well recall not too many years ago, back in the late 1970s, when I was serving on school boards, at that time referred to as the Northumberland-Newcastle board of education. We were upgrading our computers, and they had a few sitting on desktops. They were going to take the computers out of three classrooms. They absolutely filled three class rooms, and they had to be totally air-conditioned to be able to operate. They were taking them to the dump. Being very frugal, as I am—Scottish by name and I guess by nature—I was concerned with this wastage of it going off to a landfill. But I was soon informed that all of the computing power in those three classrooms was sitting on a desktop at that time, roughly back in 1977 or 1978 and by today's standards you can understand just how antiquated that kind of equipment was. Those were the kinds of leaps and bounds that were going ahead.

I thought it was interesting to see in the press that some of the new telephones are carried on the wrist, was one from Japan being carried on the wrist, and they call it a finger phone. The sounds are transmitted from the phone on the wrist—which I find hard to believe—through the finger, and they call it a finger phone. You put your finger in your ear and are able to get the message from the phone that's on your wrist. You know how we go like this to talk and pretend we're on telephone. I guess that's not too far from reality. I doubt that I'll have one like that in the next day or two, but probably within two or three years we'll see that kind of technology in our market and on our shelves.

There is just one other one I would like to share with you, as I heard a futurist talking about the kind

computer we'd have in the future. It would be like a set of eyeglasses. That would be the screen. We'd look into our eyeglasses, and it would be voice-activated, with a little microphone possibly on our glasses or clipped to our lapel. In that screen you could get all the information you would require. We've seen them coming down in size and concentration, and at the same time we've seen the mushrooming of the computing power, but I was absolutely intrigued to hear this particular futurist talk about the fact that you would just simply have a set of spectacles on, you'd look into them—that would be the screen—and you would get all the information you would ever need, probably getting it bounced off a satellite, so you could carry it wherever you would want to.

There are just so many exciting things happening in this whole area, and Bill 88 is really about keeping up with that kind of technology. It's great to see a government like ours carrying through, working toward jobs and investment, getting rid of red tape, as we've committed ourselves to, and having had many bills come before this House to do just that.

In conclusion, I want to draw to your attention that the speech from the throne stated, "Your government wants Ontario at the forefront of this revolutionary technology. It has already endorsed a voluntary electronic commerce code of conduct to set a framework for fair business practices on the Internet. Now it is setting an ambitious goal to ensure that Ontario's consumers and businesses seize the opportunities and enjoy the benefits offered by the Internet."

It was also in our Blueprint, when we tabled that back in June 1999, that we were committed to a global Internet and electronic business hub here in Ontario. Certainly we're making an effort to attract business right here to the province. This bill, again, is about investment and about creating jobs in Ontario, which we've been very successful with over the last five years.

The Acting Speaker: Questions or comments? Further debate?

Mr Monte Kwinter (York Centre): I'm pleased to participate in the debate on Bill 88, the Electronic Commerce Act, and to indicate that we will certainly be supporting it. The bill is consistent with the legal model established by the Uniform Law Conference of Canada, which developed the Uniform Electronic Commerce Act.

There is nothing particularly radical about this bill. It conforms very much to similar legislation that has been implemented in other jurisdictions in Canada. It conforms to the American legislation, to the United Nations' recommendation, to the European Community and to virtually every industrialized country in the world. But what it doesn't do—and this is where I have some concern—is address a very specific problem that more and more is becoming predominant and causing a great deal of concern. This bill has not responded to the gaping legal hole in electronic privacy and confidentiality. This was set out in the Canadian bill, C-6. It provides certain safeguards which, for reasons known only to them, this government has decided not to adopt.

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What are the ramifications? I'd like to enter into the record a case history. I think it's significant because it brings to the fore some of the problems. This particular case history is an American one, but given the global Net that Canadians and Ontarians have access to, it is conceivable that this situation could, in reality, be an issue that we are going to have to confront.

It deals with a company called toysmart.com. Toysmart.com is a competitor to Toys R Us. They don't happen to be in Canada at the moment, but they could be, in the same way that many American companies, whether it be Wal-Mart or companies like that, are in Canada. Issues like this can quite easily occur. Toysmart.com is a defunct Internet retailer of children's playthings that is currently resting in peace in a federal bankruptcy court.

Ages ago, which means sometime earlier this year—this is a little facetious, but in the cyber world, three months ago is ancient history. What is happening is that technology is advancing so rapidly that the moment you get some new hardware or some new software, it is already obsolete because its successor software or hardware is already getting ready for market.

Earlier this year, "when toysmart.com was one of the hottest on-line marketers of toys, the Web site collected an impressive database of information on its cyber customers and other visitors. Not just names, addresses, billing information and shopping preferences, but all manner of personal background data on toysmart.com customers, including even the birthdates of their children."

"Now, with toysmart.com a casualty of the Internet shakeout, that customer database is pretty much the company's only asset." They went bust; the creditors came in, seized all of the physical assets, inventory, buildings that the landlord foreclosed on them. The only asset the company had was its database, and creditors started "clamouring for the company to sell off that list so they can be paid."

"Problem is, toysmart.com assembled all that valuable information by promising on-line customers that it would be held strictly confidential. Indeed, the company's 'privacy policy' specifically assured visitors to the site that 'when you register with toysmart.com, you can rest assured that your information will never be shared with a third party.'"

"Breaking that pledge to satisfy toysmart.com's creditors didn't seem to bother the bankruptcy court, but it did raise a red flag at the Federal Trade Commission."

"Even failing dot-coms must abide by their promise to protect the privacy rights of their customers," the chairman said in asking for an injunction to block the sale of the toysmart.com database.

"Inexplicably, however, the commission backed half-way down the ladder by accepting a compromise settlement. Under the deal OK'd by the FTC, toysmart.com will be allowed to sell its 'confidential' customer list to a third party after all. The catch—if you could call it that—is that the purchaser must be another company involved in the 'family commerce market.'"

"That settlement proved to be controversial even within the Federal Trade Commission itself." Two of the commissioners "voted against the sale of the customer list to anyone, arguing that such a move could undermine consumer confidence in all on-line privacy assurances."

Just picture this. Let's say an on-line pharmacy goes belly up and a parade of creditors are pressuring to sell off that company's customer list. Following the Federal Trade Commission's reasoning in the *toysmart.com* case, would the pharmacy be allowed to sell its confidential customer list as long as the purchaser was involved in the health care market? Pharmaceutical manufacturers are certainly part of that market, and they might be very interested in the patient information collected by that failed Internet company. Imagine being suddenly bombarded with e-mails, promotional mailings or even phone calls from a drug company touting a new treatment for a sensitive health condition you thought was a private matter between you, your doctor and your pharmacist.

That isn't a hypothetical case; it's a real case. A company that was an Internet provider went broke, and suddenly its database became an asset that was subject to attack by creditors. There is no mention whatsoever in this legislation, and there are other quite significant issues.

To understand how significant this issue is, I want to tell you about a conference that is taking place in Barcelona this month to discuss some of the key security challenges in the developing on-line environment. Security has become increasingly important in developing both public sector and commercial electronic systems, and the Information Security Solutions conference will focus on four main areas: new and emerging technologies; how public key infrastructure, or PKI, can be most effective; B to B, which is business to business, and B to C, business to commerce, experiences; and the political and legal framework for information security. The speakers will include someone from the German ministry of economics and, significantly, James Ladouceur from the Canadian Cryptography Policy Electronic Commerce Task Force will outline the Canadian approach to cryptography and authentication.

That is one of the major issues evolving from this legislation. Under this legislation, people will be able to conduct business transactions subject to certain exclusions, which are spelled out in the act. One of the major thrusts is going to be, how do we make sure that whatever authorization, whatever signature, is authentic? There are all sorts of schemes to do that now. When you talk to the drafters of these various pieces of legislation around the world, they seem to be somewhat satisfied that they have what they call firewalls that people cannot get into.

One of the other interesting things all of us are familiar with are so-called hackers. These people are computer nerds who love to try to break into secure Internet sites and secure government agency sites. Surprisingly, many of them are quite successful. All we have to do is

remember the viruses that happened. Those were all by hackers who were having fun.

One of the significant things that has happened—and there was an article in *Business Week* about two months ago—is that a new class of criminal is developing. What this criminal does is approach major corporations who have a strong Internet base. They visit them and tell them they have the ability to access their most secure Internet sites. When the executives of these companies balk and say, "There's no way; we are satisfied we have the ability to withstand any such intrusion," these people tantalize them by giving them part of the e-mail address and also their particular codes. Then they say, "If you want us to give you a complete demonstration, we're prepared to do that," and having said that, "What we really want is, give us \$50,000, \$100,000, \$500,000, \$1,000,000, \$2,000,000 or \$5,000,000," depending on the size of the organization, "and we will give you assurances that we will leave you alone." This is becoming a very serious business.

What has all that got to do with Bill 88? What it has to do is, there is no mention whatsoever of security, confidentiality and the particular mechanisms that could be put in place.

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It is impossible for any piece of legislation in any period of time to provide assurances that for this time and for this time after there will not be a problem, but to not even address it and to not even put in place some proviso that would alert people in the IT area, information technology, that this is a problem and they should be ever vigilant, does an injustice to what is, without question, going to be the business-to-business communication technique in the future. It may not be as it today because when you take a look at information technology, it is advancing at such a major rate and speed that what we think is the latest in advanced technology in a matter of days, weeks, months or years will be totally obsolete, and there will be other, new equipment, new technologies that will in fact supersede what we are addressing with this piece of legislation.

My challenge to the people who are drafting this bill is, surely, there has to be a provision that there's an awareness that all is not well with the security provision that have been presented. Just to say, "We're not going to deal with biometrics unless there is informed consent of both parties or unless there is specific legislation that calls for it," is addressing yesterday's technology and not addressing some of the things that could be coming forward.

I certainly am supportive of the bill, because it fills a void that is critical to people who are in the e-business industry, and it is critical that Ontario be seen, hopefully, to be a leader, but at the very least, to be a player. It has been a sad lack that companies which have been dealing electronically through e-commerce around the world have not had that legal certainty that if in case they had to go to court, and if in case they were dealing with companies that have a problem, they would have the legal protection that this bill provides.

In closing, I would suggest that we certainly pass this bill as it is but that all of us be aware that it is just a beginning; it is a minimum. If, as my colleagues across the floor are touting, this is going to be the greatest and best thing that has ever happened to Ontario, trust me, all you're doing is playing catch-up, but as you're playing catch-up the other team has left the field and is playing in a new game.

With that, I thank you for giving me the opportunity to share my views.

Mr Gerretsen: I certainly completely concur with the comments made by my colleague from York Centre who just spoke, a gentleman who certainly knows a lot about these issues and a lot about the business issues we deal with from time to time in this House.

As I sat here and listened to the members from across the floor, they almost made it sound as if the job creation that has taken place in Ontario is all as a result of this e-commerce bill, rather than dealing with the reality of the situation and acknowledging the fact that one of the reasons why our economy in certain parts of Ontario is doing quite well is as a result of the great economy that they're currently enjoying south of the border—I certainly think Bill Clinton and his people may have had a fair amount to do with that—or as a result of some of the economic policies that Paul Martin has come up with over the last number of years. He has been able to reduce the tremendous deficit we ran in this country on an annual basis for years and years and years.

They made it sound as if it's all as a result of this e-commerce bill. Well, let's never forget that what we have here, as was already pointed out earlier by my colleague the critic for the Attorney General, is minimalist legislation. In other words, it is the least that the province could have gotten away with.

The document I would like to refer to in that regard is the government's own compendium to this act. In other words, this is a document that comes with the bill when it is first introduced. It states that it is minimalist legislation. It's the least they could have done in order to stay up to date with the rest of the world. In other words, if this bill isn't passed, then we would be falling way behind and we would be doing all of those people who are involved in e-commerce business in Ontario a great disservice.

Let me just give you an example of that. Again, coming from the government's own document—not from any propaganda that has been prepared for me or my colleague; this is from the government's own propaganda—it states that in Ontario there are still hundreds of statutes that make absolutely no allowance for electronic communications. For example, the word "writing" appears in Ontario statutes and regulations over 3,600 times. The statutes that are situated behind your throne, Speaker, and the regulations, contain the word "writing." The word "signature" appears over 1,500 times. "Certificate" or "certificate" appear over 1,000 times. The word "signal" appears over 1,500 times. "Notify" appears over 1,400 times. "Notify in writing" appears nearly 400

times. In other words, if the government had not brought in this bill and people were doing their transactions through the Internet, in effect, they would be contravening these acts. It didn't say how many acts are involved in this particular situation, but just from the number of times that the requirements are in the words I have described, such as "writing," "signature," "notify in writing," which goes up anywhere from 400 times to 3,600 times, you can just imagine how many acts would be involved that people using the Internet could not comply with.

What the government is doing here is the absolute minimum to get involved in the electronic age that is out there, and it has absolutely nothing to do with job creation.

You wonder why this bill wasn't given third reading last May or June. The Parliament of Canada did. They did in Saskatchewan. I'm quite sure they did in Manitoba as well. Here we are, the largest industrial province in Canada, and why are we falling behind? Why did we wait an extra four to six months? If we really wanted to be on the leading edge, we should have been there six or seven months ago.

The other concern I have about this bill, and I think my colleague from York Centre made this point extremely well, deals with the privacy provisions. You've got to remember that this law is basically based on the Uniform Electronic Commerce Act that has been adopted in various jurisdictions throughout the world. We've already heard reference to the places where it has been adopted: Australia, the United States, Colombia and a number of other countries as well. I believe there were about 10 that were listed before: Singapore, Hong Kong, Ireland, India, Argentina and a number of others.

It's interesting that the Canadian Parliament adopted the privacy provisions as well.

1700

This bill, because it is minimalist legislation, the least that the province could get away with, didn't respond to the privacy and confidentiality issues. The Attorney General, I believe, has taken the position that we need another act to deal with those issues that relate to privacy of information as it relates to e-commerce.

Our concern on this side of the House is that we're going to get an omnibus bill one of these days that deals with not only the privacy concerns that come out of the e-commerce legislation we're dealing with here today, but that in effect may be dealing with a whole range of privacy issues. Our real concerns are that the office of the Information and Privacy Commissioner will be reduced and the kinds of things that she will be able to look into will be reduced, that her powers will be severely restricted.

So what we would have preferred to have seen is exactly the same thing as the federal government did in enacting its legislation by dealing with the privacy concerns in this bill as well. Because we all know the record of this government when it comes to issues of privacy and freedom of information.

I know a lot of people may say there's no direct connection, but there is indirectly. We all remember what happened with respect to the POSO bank, the provincial bank where the financial information of over 4,000 to 5,000 depositors was freely given without any check and authority to commercial operations here in Toronto. And it was only those commercial operators that basically said, "We don't want this information. This is contrary to the law."

You may recall that the Information and Privacy Commissioner at that time launched an investigation. In a most scathing report that she issued prior to last Christmas, in November or December of last year, she came to the conclusion that not only was she stonewalled by a lot of the ministry people within the Ministry of Finance, but she received absolutely no co-operation even though she's an officer of this Legislative Assembly. She is not a government employee; she is one of the four officers of this Legislative Assembly, hired by each and every one of us, the 103 of us that are in this Assembly. She did an investigation to find out why the information was so freely given out to commercial interests in the city of Toronto and she was stonewalled by the financial officials. Her report was a scathing attack on the way in which the Ministry of Finance had dealt with that particular situation.

The concern that we have is that once this government decides to deal with the issues relating to privacy matters, as set out by the member from York Centre, the government will take the approach that the powers that the Information and Privacy Commissioner currently has will be further reduced and further eroded. That is a major concern.

So this is not so much question of, isn't it wonderful that everybody in the House supports this bill? Obviously we do. We don't want to fall further behind. We are the leading industrial province in this country and we should have been in the forefront of getting this legislation passed quite some time ago. We don't want to be last. We want to make sure that people aren't hampered because of the limitations that are contained in our current statutes, where the word "writing" for example, appears 3,600 times. If we didn't have this kind of an act, then a lot of the e-commerce that is currently being done in this province could no longer be done on any sort of a legal and sound basis.

So no, we're not on the leading edge of technology as far as this Legislative Assembly is concerned. I'm just wondering—I saw on television the voting take place at the city of Toronto today, you may recall, dealing with the Adams mine situation. I noticed there, for example, that each one of the members had their own television, their own monitor on their desk on which they could get information etc, at their fingertips; their votes could be recorded etc.

Here we still operate as if we're back in the 19th century. The real question is, if we want to remain relevant as a Legislative Assembly, in trying to bring the best laws forward for the people of Ontario, then maybe we have to modernize our operation. Certainly we are not

on the leading edge when it comes to the assembly, and the government is not on the leading edge when it comes to Bill 88, because it is doing just the minimal kind of thing that it can possibly get away with as far as this bill is concerned.

The bill has been endorsed. I have an endorsement here, for example, from the Retail Council of Canada. They think it's a good idea. Undoubtedly there are many other organizations as well, because it is a good thing; it is a start. But the bill could have dealt with so much more than that, so that we're not reacting but rather are proactive.

I'm sure there are some people out there who are still not quite used to the Internet, to computers in general. I know I was like that not too many years ago. I was one of those people who were under the impression that if you pushed the wrong button, the thing might explode or something awful would happen.

Mr Dominic Agostino (Hamilton East): Isn't that the case?

Mr Gerretsen: No, it's not the case. See? There are even some members in here who are still of that opinion, but it's not the case. But I know there are still many people out there who perhaps aren't as up to date in this kind of technology. They're wondering, "How does this bill affect me?" and whether it will affect some of the documentation that they have signed over the years.

They may be interested in knowing that this legislation does not apply to wills, for example. You don't have to worry that all of a sudden, by pushing the wrong button on your computer, you have somehow changed your will. I think it's as important for people to know that as it is for people to know what they can accomplish through e-commerce.

The legislation does not apply to wills; it does not apply to powers of attorney; it does not apply to negotiable instruments such as cheques, land transfers and election documents. Sources close to the ministry explained that these documents were excluded because they require more detailed rules and safeguards that could not be provided in a general statute. So I think the people out there should understand that certainly their wills, the powers of attorney, their property can't be transferred—although they're working on that. New rules and new legislation would have to be put in place to accomplish that, but certainly the current bill doesn't do that.

As has already been indicated, we on this side of the House certainly support this bill, but we support it with a bit of trepidation. We're basically saying that this bill could have been so much more. The government did not have to take a minimalist approach; it could have taken a proactive approach and dealt with all of the privacy-of-information concerns that have already been dealt with.

Mr Agostino: On a point of order, Mr Speaker: It's my understanding that we had an agreement with the whips and the House leaders to have the government move second and third readings of this bill this afternoon so if someone on the government side is moving that certainly we're abiding by that agreement.

The Acting Speaker: I'm aware that we do have an agreement, but there is one caucus here that is not participating.

Mr Martiniuk has moved—

Interjections.

The Acting Speaker: The member for Sault Ste Marie.

Mr Tony Martin (Sault Ste Marie): Thank you very much. I feel a bit like Superman: into the phone booth, costume change.

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Mr Clark: That's too much information.

Mr Martin: Too much information. That's overload. Anyway, if somebody wouldn't mind getting me a glass of water, I'd appreciate it.

Mr Clark: Would you like some oxygen?

Mr Martin: Yes, that too.

Mr Agostino: On a point of order: I'd ask for unanimous consent to give the member a couple of minutes before we resume the debate.

The Acting Speaker (Mr Michael A. Brown): Is there unanimous consent to give the member a couple of minutes to get prepared, as long as the member for Sault Ste Marie understands this will be deducted from his time? Agreed.

Mr Martin: I want to thank the member from Hamilton East for asking for unanimous consent and allowing me a few minutes.

Before I put some thoughts on the record re this bill, I want to recognize the contribution to my part in this by some of the research people in our caucus research operation, people like Trish Hennessy, Kate Brown and Chris Watson, who did yeoman duty this summer, as we prepared to go on the road with these hearings, to make sure I understood all the ins and outs of the bill and was ultimately able to get up today and put on the record some concerns we have, some thoughts around this bill and how we think it fits the overall strategy or agenda of this government.

At the outset I'd like to say that, in my view, this is another example which will go into a list or litany of missed opportunities by this government. It's a bill that, yes, I think at the end of the day we'll all pass. We've agreed we will pass it at third reading today simply because it has to be passed. When you look at the environment unfolding before us where e-commerce is concerned, Ontario is way behind and needs to get caught up and to put this kind of framework in place. We're not the first in Canada. We're way behind as far as the international economic scene is concerned, and that's unfortunate because we could have been the first. We have a jurisdiction that in many respects has the potential to be a leader in the world where the economy and economic growth are concerned, but we lag behind.

For example, it was said by the member for St Paul's earlier this afternoon that we're the seventh most-wired nation in the world. That means there are six in front of us. There are six ahead of us who have done this. You ask yourself why that is. I suggest it's a pattern we've

seen by this government to be overly reliant on the economic activity that's happening across the border, driven by our US neighbours and friends to the point where we've literally dropped the ball. The Ministry of Economic Development and Trade has become a shadow of its former self under previous governments and is not giving leadership any more, not leading the way, being creative and being innovative where some of this kind of thing is concerned, and is in fact lagging behind.

Some of the members across the way are laughing, but I tell you it's no laughing matter. When a jurisdiction as full of potential as Ontario begins to take up the rear where some of this activity is concerned, I think we all ought to be concerned. This bill is way too late and, in many significant ways, is totally out of context.

I'll give you an example of the thinking of this government where the economy is concerned, their understanding of how an economy evolves, what a province or country needs to do to stay up with or give leadership from time to time in the race to discover new possibilities and new opportunities. When they became government in 1995, they became leader of a jurisdiction in Ontario that was poised to charge ahead and become, in many significant ways, a leader in the world where the economy is concerned. Even though you'll hear the folks across the way suggest that the indicators show they have done some good things, I think you need to look into it a bit further to recognize—for example, they speak about the new jobs they have created. I'll use my own community of Sault Ste Marie as an example. In their first six months in power, they cut close to 2,000 really good full-time jobs. Researchers in the Ministry of Natural Resources, researchers in the Ministry of the Environment, workers in transportation to keep our highways open in the wintertime, to repair and build our highways were just dismissed out of hand as if they were not necessary. Anybody who understands how a jurisdiction gives leadership where the economy is concerned knows we need those kinds of people. We need the skills they bring to the job, we need the knowledge they have and we need the commitment that was there over so many years.

This government doesn't understand that what drives an exciting, dynamic and progressive economy that stays with the leaders is a good public service, a full public service with lots of experience that is motivated, well-educated and committed. What we have seen in this province over the last six years is a civil service that has been significantly diminished. Even the ones who have been fortunate enough to hang on to their jobs, in my experience in speaking with them, are demoralized.

When you look at the other pieces of a community such as Ontario that supports a strong economy—health care, education and concern for the environment—I don't really have to say too much more. I think the story is out there. People are seeing it and feeling it every time they go to a hospital, every time they have to pay for something else that used to be provided to them by government by way of their taxes is no longer there. So we're losing the context within which a bill like this

might have the potential to help us catch up with the rest of the world and in fact become the leader that the government side in this place suggests we are. But the statistics—just one of them that was shared here this afternoon is that we're only the seventh most-wired nation in the world—should indicate to you that there's something missing, something lacking. I suggest to you that because of the economy that's been flowing out there, driven, as we've all said here so many times, by the US economy, this government has gotten lazy and shows a total lack of understanding of what is required and what is needed if we're going to do the right thing and succeed.

When this bill was tabled and we, as a subcommittee of the standing committee that was going to take it around the province for some hearings, met, I suggested we might want to go into northern Ontario because there certainly was some interest, and there was a need, in my view, to get up there to share with people what we were proposing to do here and how it might impact them, and how, instead of being hurt by this new e-commerce economy that's blowing out there, they might take advantage of it to improve their own lot where the economy is concerned. This government said, "Why would we want to do that? Why would we want to take this bill and go anywhere outside Toronto, Kitchener and perhaps Ottawa?" because I guess that's where they make computers. But this bill isn't about making computers; this bill is about facilitating the use of computers within a larger economic environment. This government didn't seem at that subcommittee meeting to understand that, and in my view missed a wonderful opportunity.

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As I said when I first started out, it's part of this litany of missed opportunities to actually take a piece of legislation that was about the new economy, that was about e-commerce, and go out there around the province, using the resources they have—and we know they have lots. Every time we turn on the TV these days there's another advertisement promoting what they are doing in health care or what they are doing in education, most of it public relations spin. Why wouldn't they take that kind of resource that they obviously have at their disposal—surpluses coming out of their eyeballs—and take a bill like this out around the province to speak to communities about e-commerce, about this new economy and how it works and how they can participate in it, as opposed to what's happening out there right now?

I suggest to you that particularly in small communities in rural Ontario and all communities in northern Ontario, they see this as a threat. They're afraid of what it might do to them and what opportunity it might take away from them, because they know that a lot of the goods and services that they used to make a living by selling are now being marketed and sold via the Internet. In a lot of those communities the profit margins aren't very big, and so many of them have thrown up their hands and said, "We can't compete with this. We can't participate in this economy." If the government were smart and innovative

and ready to give leadership, they would have taken this bill out to some of those communities and said, "Look, here's what we're trying to do. This is how it works. In fact, this is how it might help you participate in a more creative way in that global economy that's out there, as opposed to it being an attack on your ability to make a living."

I'll tell you, in a lot of places in this province, a lot of small communities around this province, in rural Ontario and northern Ontario, there are people who make some pretty wonderful things, who offer some pretty exciting and innovative services. If they understood the Net and how it could work for them, they could be marketing those products beyond the boundary of their own little community. That's what this bill will give them the ability to do, but they don't know that unless they are listening tonight to this broadcast and hopefully will take some interest and begin to ask some questions, perhaps write to the government and ask them to send some information.

I know that the civil service that worked so hard to put this bill together, until they got the green light by government to actually go ahead and take it out there, had gathered just a ton of information and would be a wealth of intelligence where this is concerned, if asked. I'm sure they would be more than happy to do that. But this government missed the opportunity because they either didn't understand the impact that it will have and could have, or were too lazy to actually get out there and do it. They were more interested in spending their money and their resource on spin-doctoring what's happening in health care and education and the environment, some of the areas where they have found themselves more and more in trouble in the province today, as opposed to where the economy is concerned, going out there and giving the leadership that everybody expected they would but in fact they haven't been able to do.

Another thing that's of interest to me as I look at this bill and that should be of interest to the people of Ontario, and in fact should be of interest to this government—and I'll get into it a little bit further here once we get into dealing more specifically with the bill itself—is the fact that people aren't using the Internet as much as it was projected they would. If you look at the downturn in the stock market these last few weeks and you read anything about it, you'll understand that it's in the high tech area, and it's because the projected use of some of the features on the Internet and in computers hasn't been realized. I suggest to you that it hasn't been realized because the people with responsibility—the government in this instance—have not gone out there to work with people, give leadership, educate people so that they might understand and feel comfortable with the Internet and perhaps use it more to stimulate and support the economy here in Ontario as it competes with that global economy out there.

The other thing that's interesting, and again it was raised by the member for St Paul's earlier—and I knew that because I spoke of it during the hearings—is that the

government isn't tabling this bill because of their own cognizance or their own initiative, or because they thought it would be a good thing to do re the Ontario economy and how it participates in the larger global economy. They are doing it because it's required by law. They're doing it because it's required by law, not because they are out there giving leadership, being courageous and intelligent. If they were doing it because of those reasons, they wouldn't have seen Saskatchewan—by the way, a province in this country that is led by an NDP government and that enacted a bill such as this a year ago.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): That guy's quitting. He quit.

Mr Martin: Yes, because he's got nothing else to do. He's done it all. The economy in Saskatchewan is booming and he's reorganized public life and the economy out there, and now he's moving on and he's going to turn it over to somebody else equally capable and able.

There have also been a number of very interesting and important issues raised by a group out there in Ontario today called the Public Interest Advocacy Centre around some of the difficulties that may accrue because this bill will now be in place, once we pass it here today and it's enacted in law, and we haven't done the educating that we needed to do. This government has not done the education that they needed to do. This government is passing this bill out of the context of the work that, yes, will be done over the next six months to a year to perhaps two years by the Ministry of Consumer and Commercial Relations around the question of privacy and the protection of people who, not being very sophisticated in this very sophisticated business area, may find themselves being hurt because they make a mistake, get on the Web one day, press the wrong button, and instead of ordering one item, end up ordering 100. And then what do you do; how do you get out of that?

As I was sharing with somebody just before I came into the House here today, what if I, at home on my home computer, get into the business of buying and ordering and doing business by computer and one of my kids comes home and sits down, and I haven't put in place, because I don't know how to do that, all the protections necessary to stop that young person from sitting down and doing some things that result in, a week later, a load of stuff ending up on my front lawn that I know nothing about? How do I get out of that and how do I deal with that?

Given the fact that this bill has been done in such a hurry, in such a vacuum, out of sync with the really important work that's going to be done over the next six months to a year by the Ministry of Consumer and Commercial Relations around the question of privacy and protection of people, I think we're going to have some problems. We need consumer protection to ensure privacy rights are not violated and to protect against fraud and cyber crime. Regulation is one thing; enforcement is another. We need a third party watchdog that has the power to investigate e-complaints, press

charges and enforce the laws. Consumer protection rights ought to be real and enforceable, not virtual. We need to make this consumer-focused, not business-focused.

The Minister of Consumer and Commercial Relations has suggested that the term "consumer" be expanded in this context to protect small business. Small business should be protected under separate legislation that combines protection with accountability and specific guidelines.

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Business owners and consumers are two separate entities, however. This legislation should maintain that separation. Recent studies show e-commerce has been a bust in Canada. We need to consider the reasons for this: lack of trust among consumers for e-commerce as well as lack of co-ordination and accountability for businesses initiating e-commerce transactions. Proper e-commerce legislation should protect the consumer for abuses as well as outline clear, specific rules for business use of e-commerce as a marketing and sales tool.

This brings me back to the point I made a few minutes ago, which is that this government should have taken the opportunity it had in front of it with this bill to have gone out there and done some serious public education, some serious consultation, involving people in the discussion around how this will unfold, what they're afraid of, and put in place those protections that are necessary and to have done it at the same time as we're dealing with the specifics of this bill.

Consumer complaints about e-commerce have risen by 1,000%. We need to know that those complaints are being investigated swiftly and with assurance. We don't know that. We also need to know that consumers have legal recourse. We don't know that either. We don't know what this government is going to suggest and what this government is going to put in place, because we're only moving now into the consultation phase of that piece of work, which is so important where this is concerned.

Privacy protection should be key in e-commerce legislation. It should be illegal, period, for any company to share your personal information for marketing or any other purposes. Buying goods via Internet should not in any way be a licence for a business to exploit the use of your personal information. Consumers should not have to fill out a form saying they do not want their personal information shared. It should be embodied in the law that such information should never, under any circumstances, be shared unless under police investigation.

We need to develop regulatory frameworks for cyber-crime, e-commerce and the social and economic impact of the digital revolution. We need to set up a review body to review the impact of any e-commerce legislation within three years of its enactment. Is this helpful to the local economic community's economy or is it not? Is it helping people or is it not? E-commerce is a new beast, and we need to make sure any legislation speaks to the reality of this new concept and its impact on people.

We need to recognize that e-commerce represents a small fraction of how most Canadians do business. Many

low-income Ontarians are frozen out of e-commerce because they do not have the money to buy a computer or surf on-line. Many businesses do not have the resources to set themselves up in e-commerce. Jobs could be jeopardized if we try to turn the real economy into a virtual one. The real economy is where the majority of consumers do business in Canada, and it will remain that way for a good long time to come, I suggest.

While we need to make sure regulations and enforcement are in place for this new way of doing business, we should not fall into the trap of overvaluing e-commerce over real commercial transactions. Also, we need to consider the impact of developing a dot-com economy that further deepens the divide between the rich and the poor and further develops the divide between the Metro area, the GTA area of this province, and the rest of the province, rural Ontario and northern Ontario.

The whole debate on e-commerce centres around maximizing the consumerism around this new technology and keeping up with others, companies and countries, in growth. We need to be thinking further ahead to the impact of a growth-based society on the environment, and we need to look at the very real problem of jobless growth, which this in some very significant ways represents. With greater and greater use of new technologies, we need to have some broader discussions about how we can help the economy produce jobs.

Ann Cavoukian, Information and Privacy Commissioner, said about e-commerce that it is based on the very technology that has led to a renewed concern around privacy for individuals, Internet technology. E-commerce will have to work with consumer confidence and trust, because with competition only a mouse-click away, trust will help win business. Growing numbers of Internet users are fibbing about themselves because they have serious concerns about on-line privacy. In a survey of 200 people in BC by Market Explorers, they found that more than a third falsified personal data, and in a survey of 10,000, two thirds had serious privacy concerns.

This should be running up a red flag for a whole lot of people out there. This should be running up a red flag for this government, and it should say to them that maybe, just maybe, they should be considering holding this off until such time as we have done the consultation around these very, very important issues raised by some very well placed and knowledgeable people. These fears are affecting e-commerce because consumers fear being tracked on-line if they buy over the Internet. Companies need to provide upfront privacy policy agreements and compensation programs in order to motivate on-line consumers to voluntarily give accurate information. Some companies are clueing into this. YOUtopia and BizSmart say they are open about how the collected data will be used and provide comprehensive on-line privacy agreements. They also give away incentives, such as being entered in a draw for a Palm Pilot or collecting You-dollars that can be exchanged for music, movie passes or clothing as you use the site.

It will come down to companies developing better customized reward programs or services to entice users to share personal data. Just because there's a privacy policy doesn't guarantee a company will honour it. One example is Toys R Us, which has a privacy policy but forwarded personally identifiable information to a US marketer. These are some of the issues that many people out there, particularly those belonging to the Public Interest Advocacy Centre, are concerned about where this legislation and this direction by the government are concerned.

There are some financial concerns with on-line banking and on-line investing; we wonder if regulations are adequate to protect people against terrible financial mistakes. For example, the Bank of Montreal's direct investing firm announced on August 16 that it is offering an on-line service that allows investors to search, buy and sell a wide range of fixed-income products such as bonds, treasury bills, debentures and coupons. They say that the service is for experienced investors and that they have on-line access to knowledgeable representatives to answer questions. There is a "quick pick" function where the user identifies the amount of money they want to invest and is presented with a selection of investment options. The investor line is part of the Bank of Montreal's private client group that focuses on wealth management. Greater amounts of financial transaction and business can be done over the Web.

Do we—and this is where it becomes important—unnecessarily expose people to greater risk of losing their savings—fixed income etc? If there is inadequate regulation and monitoring of these sites and transactions, the government says this is minimalist, and they're proud of the fact that it's minimalist because it doesn't interfere in the market. Well, what about the protection of those people who stand to perhaps lose their life savings? With telephone advice, you are receiving information from qualified certified financial planners, and there likely are monetary mechanisms in place. We don't know that about the computer and the Net.

Another issue that I think we need to take a look at is this whole question of the economic model that the government is, by default, promoting because of laziness and lack of understanding and overreliance on what's happening in the US. The whole debate on e-commerce centres around maximizing the consumerism around this new technology and keeping up with others—other companies and other countries—in terms of growth. At some point growth is not going to be feasible, even as an economic model. Certainly it is already not feasible from an ecological perspective, but leaving that aside for a moment, to concentrate on the public economics, growth is no longer producing the necessary jobs for the people of the world, as is demonstrated by the increasingly used phrase "jobless growth."

I would suggest to you that here in Ontario some of the jobs that are being created are less satisfying, no matter how you look at it, than the jobs that were being

created before this government gained the controls of power in 1995.

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I go back to my own community of Sault Ste Marie, where probably some 2,000 to 3,000 really good, well-paying jobs, if not more, were summarily dismissed. And in turn, what did we get? I'm not belittling these jobs for a second. We have two or three call centres now setting up in the Soo, and they are jobs that the people in Sault Ste Marie appreciate having, don't get me wrong. We have a casino now in Sault Ste Marie, and there are 500 or 600 people working there. The people who work there are appreciative of having those jobs, but they're the only jobs we have to offer. They are jobs that pay anywhere from \$10 to \$15 an hour. They are not the kind of jobs that used to be there in the 1970s and 1980s.

Why is that so? I suggest to you it's because this government has bought into a program that is minimalist, to use their word. They are taking good jobs that were secure and paid well, had benefit packages attached and pension plans for those workers, and they're dividing them up into two, three and four part-time jobs. So where a person five years ago had one good job that gave them enough money to look after their family, pay the rent and put a little aside for the future, you have that same person now working two or three jobs, all of them contract, part-time, no benefits, no pension and really insecure.

If you go out there today around Ontario and you get a sense that there's an anxiety there now that wasn't there five or six years ago, you're absolutely right. You're hearing what's going on. You're getting a sense of what's happening out there. With all that anxiety and worry and concern on the part of people, is it any wonder that the health care system is stressed to the max and we can't find the dollars we need any more, although they are there, if you look at the surpluses that are being announced, and bragged about, by this government. The health care system is certainly not keeping up with the need that is being created out there by this new approach to the economy that's creating part-time, contract, low-aid, insecure jobs as opposed to those really good, well-paying, secure jobs that we all came to expect would be there for us if we worked hard enough, if we got a good education, if we did the right thing; that just seem to be falling by the way more and more as we move forward.

As a matter of fact, I suggest to you it's not moving forward, it's moving backward, particularly when you consider the attack this government has waged on organized labour, which is one of the only vehicles left out there any more, with a few others—my own caucus, for example; nine of us now—to fight this move to diminish the importance, the benefit and the contribution that having a good job makes to the overall health of the economy of a jurisdiction like Ontario and particularly the economy of communities where those jobs are located.

With greater and greater use of new technologies, we need to have some broader discussion about how we can help the economy produce jobs. By launching right into a

race for e-commerce, we make the assumption that we have assessed e-commerce, given it a thumbs-up and now need to get the biggest possible market share. Well, no. We have not assessed the long-term implications of a technology that threatens to increase consumption while decreasing the need for labour. This is not to say that we will move down the Luddite path, but it is to say that we need to consider solutions to the problem of decreases in labour at the same time as we embark down increasingly high-tech routes. We need to debate all the issues around reduced work weeks, sharing jobs, flexible work arrangements, restrictions on overtime, job displacement by region and sector, green taxes, possible labour opportunities around sustainable development, community development and the third sector, where more work is needed because of government cutbacks. It's not that there isn't a whole lot of work out there—there's a ton of work out there—it's a question of how we value that work, how we recognize the contribution that all of us make to the work that we do, what we get in return and how we keep that ball rolling.

The government's white paper on employment standards shows that the government is not only not addressing the problems of jobless growth but is in fact exacerbating them. In this day and age of excellent growth and continued high levels of unemployment, and increasing poverty and homelessness, why in the world would this government allow the workweek to go from 48 hours to 60 hours? This is the workweek allowed by the law without requiring an employer to ask for special permission of the ministry. This is what is being proposed, I say to the people out there.

The Business Council on National Issues, meeting in April, had the traditional focus on economic growth as the saviour for all our problems. The only mention of Canada's strained health care system was to say that it would only be sustainable with stronger economic growth. They are saying that growth in the consumer economy produces jobs, which produce income-tax revenue which can fund the health system. Why not focus on the actual health care system itself, where doctors and nurses are overworked, stressed and considering leaving for the United States? The sector needs more human resources. Create jobs in sectors that are not focused around consumption and things, but around well-being, and we can generate money from income taxes in these sectors as well.

It always surprises me when people criticize money that we give out to, for example, people who are in need and on social assistance, as if it goes into some big black hole somewhere, as if those people take that money and bury it in a hole in the backyard, as if they take it and put it in some Swiss bank account somewhere, not understanding that in fact every penny you give to somebody in the lower or middle class in our society today goes almost immediately into the economy of the community in which they live. It's spent. It goes to the small business operator, the corner grocery store, the clothing store. It keeps the economy of that community going. Yet to

listen to the folks across the way or the promoters of the Alliance these days, that kind of expenditure on public service or helping people keep their head above water is somehow a waste of money, when in fact what it does is it keeps a lot of the members of some of the organizations that support these folks alive.

Why are we not taxing resource consumption and the bads of our economy through green taxes to produce the finances that would allow us to reduce taxes on labour and employ more people, fixing the damaged public sectors? Similarly, the only mention of growing gap issues and increased homelessness in Toronto at the BCNI meeting, the Business Council on National Issues, was to say that poverty was a symptom of Canada's failure to maximize its economic potential. This was reported in the *Toronto Star*. What about the great prosperity that is occurring right now and the huge percentage of high-end jobs that require exhausting amounts of overtime? Why not share this prosperity and these work hours instead of looking to more and more growth which (1) will come to a crashing halt when there is nothing left for us to buy and when we clue in that consumerism will really not make us happy after all or (2) while it continues is devastating to the ecology of our planet?

The business community is stuck in thinking that what's good for business is good for Canada always. I suggest to you that the agenda of some of the larger business organizations in this country, the chamber of commerce—and I belong to my own local chamber of commerce, and I'm in no way being disparaging of the work they do. But the agenda of the umbrella organizations in my view, in my experience, has completely missed the agenda of the small, local business folks who drive the economy in this province and in this country but who are finding, just as workers are finding in today's economy, that it's becoming more and more difficult to make a profit and to make ends meet and to feel secure and to know that the work you're doing is an investment in your future, because overnight you could lose your business, through no fault of your own and certainly without any input by yourself in that decision.

1750

Most Canadians are not shareholders and they are more concerned with losing their jobs than about losing top executives to the US. A country's success is not solely based on numbers of dollars in people's pockets. Business leaders are going to have to start listening to Canadians, addressing their concerns, and taking responsibility for decisions rather than blaming them on the marketplace.

E-business cluster development relies not just on taxation rates and large capital centres, but on quality-of-life issues, including health and the social safety net. E-business cluster development also relies on strong educational institutions that attract, educate and inspire Internet entrepreneurs.

I was in Ireland this summer. I was there twice. I went over to front a trade mission that we ultimately brought

from Sault Ste Marie. I worked with the chamber of commerce on this. That economy is just booming. While we were there, it surpassed every jurisdiction in the world where the exporting of software is concerned. If you listen to the folks over here and others who write about this, they'll tell you that it's the preferable tax rate they have, the corporate tax rate they have over there, and that's all. I have to tell you that even though that is an important factor and certainly helps in attracting new investment, it's not only that. It's an approach that government takes to the overall development and planning of its economy. It's the leadership that it gives. It's the fact that it brings together all of the players around the table—organized labour, small business, big business, community groups, environmentalists—and they say, "What do we have to do together to improve the lot of everybody who calls Ireland home? What can you contribute? In the end, what is it that you need by way of reward for having participated in the way you do?"

In Ireland, close to 50% of workers are organized, are part of organized labour. That government didn't look at organized labour and say, "You're a problem; you're an obstacle. We've got to get you out of the way." No. They looked at organized labour and saw an asset, saw a valuable resource. They brought them to the table and said, "What can you contribute? Will you work with us in the development of an economy that's going to work for everybody in this country?"

They invested in education. The first thing they did in the early to mid-1970s in Ireland to turn their economy around—and God knows it needed turning around. I was born there and was back several times and saw the difficult time they were having getting themselves out of the economy they were in that wasn't very helpful to most Irish citizens. The first thing they did was invest heavily in education, to the point where today in Ireland there is no tuition fee for post-secondary education. They recognized, as we don't, that where entry level into the workplace around the world used to be a secondary school education, it is now post-secondary. It is now a college or university degree in some area. So Ireland decided to do that.

Ireland is planning centrally, is giving leadership, is bringing everybody to the table, is investing in different parts of the country where it's needed, putting money into infrastructure, investing in education, participating with the European Community in a concept called social inclusion, a term that you would use here and almost think it was a sin where the folks across the way are concerned.

We suggest to you that even though we are going to co-operate with everybody here this evening and pass this bill, there was and is so much more that needs to be done by this government if it's going to show leadership, if it's going to maximize the potential for this bill to enhance our ability to participate out there in that global economy. There are a lot of concerns. There are a lot of questions we all need to get our heads around. We need to look at both the opportunity and the challenge that are

presented in this bill. We need to participate very actively with the Minister of Consumer and Commercial Relations, as he takes his white paper out around the province, where the issue of privacy and protection is concerned for consumers, particularly where the Internet and e-commerce are concerned. We need to be careful that we don't put all of our eggs in one basket.

The digital economy is being given credit for driving the unprecedented period of sustained expansion in the US economy. The high-tech industry has been responsible for almost a third of the real economic growth in the US since 1995 despite accounting for barely 8% of the economy's GDP this year, according to a US commerce department report in June. The reports of Microsoft and Nortel being the greatest influence on the growth of the Dow Jones and the TSE respectively point to our overemphasis and overdependence on the digital sector for economic health. We need to be ready for the

inevitable crash. It would be helpful to be developing other sectors and ideas for the economy as well.

My challenge to this government is to go out there and talk to the people of Ontario about this. Talk to them about the economy, get a sense of where they're at and what it is that they have to offer, and then move forward.

The Acting Speaker: Mr Martiniuk has moved third reading of Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication. Shall the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Being 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1756.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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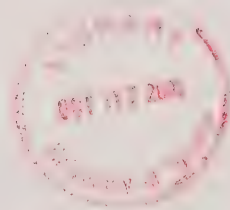
Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 10 October 2000

Mardi 10 octobre 2000



Speaker
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

PROFESSIONAL FORESTERS ACT, 2000

LOI DE 2000 SUR LES FORESTIERS PROFESSIONNELS

Mr Gilchrist moved second reading of the following bill:

Bill 110, An Act respecting the regulation of the practice of Professional Forestry / Projet de loi 110, Loi concernant la réglementation de l'exercice de la profession de forestier.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: I know this bill is very important, especially to the people in northern Ontario. Is there a quorum?

The Acting Speaker (Mr Tony Martin): Is there a quorum?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Mr Gilchrist.

Mr Steve Gilchrist (Scarborough East): Thank you very much, Mr Speaker. I am indeed pleased to start debate on Bill 110 this evening. I would like to indicate up front that I'll be splitting my time with the members for Halton, Simcoe North, and Barrie-Simcoe-Bradford.

I'm particularly pleased tonight because this bill represents only the second time that a piece of legislation has been prepared in committee. As the members in the House will know, I guess about a year ago we changed the standing orders so that there is now a third mechanism through which legislation can be created. Traditionally, of course, there were government bills and there were private members' bills. But we have now given the committees themselves the powers to enact legislation. So I'm honoured, as the committee Chair, to have the bill stand in my name, but I certainly want to recognize the fact that it was unanimously supported by members from all three parties in the committee, and their names stand as secondary sponsors to the act. I want to thank them all for their participation in the debate and their support of the bill.

I'm not going to go on at great length today, particularly because there was such unanimous support during the hearings we've had so far on this bill and the fact that all three parties have signed off. It is a long-overdue recognition of the fact that forestry is an extremely important part of the economy of the province and that silviculture must be maintained, not just the traditions of silviculture but the application of the most up-to-date science in all aspects of forestry.

This bill continues the Ontario Professional Foresters Association as the professional body that regulates and governs the profession of professional forestry. It does not require that all persons practising forestry in Ontario become registered professional foresters, but what it does do is make a clear distinction and say that if you want to achieve a certain designation, you will have to have the skills, you will have to have the training and you will have to have been recognized by the OPFA in order to be designated.

It's important to us that foresters have that expertise. While those of us whose lives are not on a day-to-day basis involved in silviculture may not recognize the fact that you need to know about soil erosion and site degradation, you need to know about the impact of forestry in terms of how your tree plantings might be affected by forest fires and ways to mitigate against that, we do know that lower-quality forests lead to reduced employment, less community growth and reduced economic contribution, particularly in your part of the province, Speaker, where it is the cornerstone of our economy.

1850

We have made it very clear in this bill that there is a group that we believe has the expertise to guarantee that all those people who want to be recognized as professional foresters have the necessary training and conform to the appropriate professional standards of practice.

We know that as a result of this bill there will be the application of professionally accepted methodologies and procedures in both the obtaining and the interpretation of information; in other words, how a professional forester actually goes about doing his work. The bill will require that the OPFA develop, and that foresters participate in, a mandatory continuing education program because in forestry, as in all aspects of our economy, there is improved technology, there is improved science that we hope would be applied to all aspects of this business.

The continuing education program will result in foresters maintaining a high level of professional competency and, in fact, we're confident the highest level of

competency in the world. We know that the adherence to professional standards of practice will ensure that the intent of what are known as the silviculture standards and guidelines will be scrupulously followed.

Finally, we know that sustainability of Ontario's forests will ensure economic viability not just in the north but throughout Ontario. That in turn means less reliance on government support.

As I mentioned earlier, I don't want to belabour the specifics of the bill. I do, again, want to compliment members from all three parties. Mr Speaker, it's quite fortunate that you're in the chair tonight. We have seen this bill, which originally started out as a Liberal private member's bill and then became a Conservative initiative under Mr Chudleigh, inspire the committee to create a bill that has passed muster with all three parties.

Similarly, we know your idea for the franchise act has now become law. I'm heartened by the fact that with this new power, standing order 124, we have an ability for backbenchers, for members of all three parties, to make sure that their good ideas actually make their way on to the floor of this House and, I'm very confident, all the way to being passed into legislation.

The Acting Speaker: Further debate?

Mr Bartolucci: I stand and wish to comment just very briefly on the bill because we on the Liberal side here don't have a big problem with this bill. However, we do have a problem when it comes to various other things that impact on northern Ontario. I think Mr Gilchrist outlined it very well. We don't have any problem supporting it.

But I do have a problem when it comes to supporting items like health care apartheid, which I believe impacts incredibly on northern Ontario. I'm glad that the Minister of Health is in the chamber tonight. I'm glad that she's able to hear the comments that I echo on behalf of the people of northern Ontario. Certainly the Ontario foresters act is an important act. In fact, it clarifies roles. That's important. What is more important to the people of northern Ontario at this particular time is the health care apartheid that seems to be practised by this government.

This government will tell you that they're not embarking on health care apartheid. The reality is that when Janice Skinner comes down to Toronto she is only given 30.4 cents a kilometre one way to Toronto. Yet somebody who has to come to Sudbury to get cancer treatment—and my God, we hope that treatment is successful so that person is cured of cancer—that person receives full travel costs, full hotel costs and full meal costs. We're happy that person from Toronto is receiving those costs because that person has been re-referred to Sudbury.

The reality is that Janice Skinner doesn't have that luxury. There's no re-referral program for Janice Skinner. Janice Skinner is referred to Toronto for treatment. Here is the dilemma. Unlike the Ontario foresters act, where everyone seems to be treated as equal, Janice Skinner is not treated as an equal. Janice Skinner is discriminated against because Janice Skinner happens to be from the

riding of Nickel Belt, Shelley Martel's riding. She happens to be from the Sudbury region and she is discriminated against. Then you wonder why people like Claudette Boyer, Leona Dombrowsky, John Cleary, myself, Dominic Agostino, Shelley Martel and the rest of us on this side of the House are opposed to that type of treatment. We see that as discrimination. Unlike the Ontario foresters act, where there isn't that discrimination, we see that there is clearly discrimination within the health ministry.

It surprises me, because I have to tell you, I have a lot of respect for the Minister of Health; I really do. I have talked to her on a personal basis. We've talked about issues, and she seems like a caring person. It's not her who is calling the shots. I want the people of northern Ontario and Ontario to know that it is clearly not Elizabeth Witmer who is calling the shots here; it is clearly Mike Harris. Mike Harris has decided, even though he's from North Bay, that there will be health care apartheid in this province, unlike the Ontario foresters act. I'm referring back to the act because I know it's important.

The Acting Speaker: I was just going to say, I'm convinced that the member is going to bring his thoughts back to the act that we're debating here tonight.

Mr Bartolucci: Absolutely. I think it's very important for us to understand that there is a great opportunity to look at the differences here. We have the Ontario foresters act, which in no way impedes democracy or equality, yet with regard to cancer treatment we are looking at discrimination, we are looking at health care apartheid, we are looking at favouritism—you can call it whatever you want. I don't like to refer to this particular practice by the government when it comes to the relationship to other acts, but the reality is, we cannot ignore that in Ontario today, because of the discrimination shown toward northern Ontario cancer patients, we are practising health care apartheid.

If only the government would learn from the Ontario foresters act, we would know that it is wrong to do what they're doing. I ask them to correct it. Mike Harris is in Sault Ste Marie tonight at a fundraiser, getting all kinds of money from Sault Ste Marie to take back to PC Ontario. I'm asking him to correct the injustice that he is perpetrating upon northern Ontario cancer patients.

Ms Shelley Martel (Nickel Belt): Before I deal with the bill in front of us, I just want to point out that Janice Skinner is not only from Nickel Belt, she's from my hometown, if people want to talk to Janice Skinner on a personal level about how much money she and her family have spent out of pocket to try to access cancer care here in Toronto. There is something clearly wrong with the government's discrimination.

Since the Minister of Health is here tonight, I only want to urge her in the strongest possible way, as she has now asked Cancer Care Ontario for a proposal to fund even more southern Ontario patients to go elsewhere for treatment, which needs to be done, that she use this opportunity to fund 100% of the costs for northern cancer

patients too. Do not let this discrimination go on any longer.

It is my pleasure to participate this evening in the bill that is before us, which is Bill 118—sorry. We've had two bills in the last two years and I get them mixed up.

Interjections.

Ms Martel: Thank you very much, colleagues. It's Bill 110, which is An Act respecting the regulation of the practice of Professional Forestry. I want to commend the standing committee on general government for the work the members did to deal with this particular bill, for the public presentations that occurred on June 22 for those six groups that came and made presentations, and for the work the committee did to accept some amendments, one of which I will speak to later, in order to bring the bill forward here tonight.

But it's worth making the following point. Almost two years ago in this House, on November 5, 1998, during private members' hour, this House debated a very similar bill which was moved by David Ramsay, and that was Bill 71, also called An Act respecting the regulation of the practice of Professional Forestry. That bill did pass second reading in the House that morning, and I was pleased to speak in support of it on behalf of our caucus. That bill did make its way to committee and it was during the course of public hearings and the limited clause-by-clause that went on that, frankly, the government members nixed the bill—killed it, defeated it. It never saw the light of day after that public hearing process.

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The people from the professional foresters association who are here tonight and who are going to be happy to see this bill pass second and third reading—I don't expect them to talk about that, because they're here to see this passed, but I'm going to talk about it because it's worth pointing out that that previous bill, Bill 71, had the unanimous consent of this House. The bill went to committee and in actual fact there is very little difference between that bill and the bill we're dealing with tonight—very little difference at all. There are some minor technical amendments, but the substance of the bill, the principles upon which it was first put forward, haven't changed one whit, one iota. We would have been much better served, the professional foresters would have been much better served and the public of Ontario would have been much better served if the government members had seen fit to pass that bill some two years ago.

The only reason I think the government didn't pass the bill in committee two years ago was because it was moved by an opposition member. I think that was the only reason the Conservatives didn't pass the bill—because it was moved by Mr Ramsay. God forbid that the Conservative Party was going to allow something good with respect to forestry to be passed by an opposition member. The fact of the matter is, and I say it again, and if you talk to members from the association they will confirm, there has been very little change from Bill 71 and the clauses and the principles to what we are dealing

with today—very little change. The government would have served us all much better by having allowed that bill to pass two years ago. It is regrettable that the government was so short-sighted in wanting to ensure that an opposition member couldn't get a private member's bill passed that they deep-sixed it in the committee at that time.

So the professional foresters have had not only two years from that time to deal with this bill that is before us; frankly, they had two years before that, when their association was working toward licensing. If you go back and read any of their publications, which they send to all members on a regular basis—quarterly reports—you can see that as far back as February 1996, when they had their convention, the Ontario Professional Foresters Association began a serious and intensive discussion about licensing, which leads us here today. Certainly through that process over the last four years, they have done everything possible, everything necessary, to include all of their members in the discussion—and the vast majority of professional foresters in the province are members of the association—they have made every effort to deal with any of the concerns, questions and comments that came forward from that body. They had a number of public consultations in a number of communities across this province. They lobbied MPPs extensively at least two years ago about the former bill, Bill 71. They also contacted at least 70 other organizations—not professional foresters associations, but other associations which would have a concern about what goes on in Ontario forests—and got their comments, questions and concerns as well with respect to licensing of this body in this province.

There has been extensive consultation which has brought us here today, and it is incumbent, frankly, upon the members of this Legislature to now pass this bill, a bill which should, I repeat, have been passed two years ago. It's incumbent on us here tonight to pass second and third reading so that, finally, after four long years of working toward licensing and self-regulation, professional foresters will be in a position tomorrow that they will be just that: a self-regulating licensed body operating in the province of Ontario to ensure sustainability for the forests of Ontario.

Why is it important to have such a bill? I think it's important because the sustainability of our forests here in Ontario should be of paramount concern, not only to MPPs but to the public as well. Mr Speaker, you don't have as much forestry in your riding as I do in mine—

Hon Frank Klees (Minister without Portfolio): Hey, wait a minute.

Ms Martel: You have a fair bit, but probably not as much as in mine.

And you know full well, Mr Speaker, that many, many communities in our special part of the province, in northern Ontario, rely almost exclusively on this industry. If this industry has a black eye in international markets and we can't sell our products, then people we

represent, workers in our communities, lose their jobs. It's as simple as that.

This bill works toward clearly ensuring that not only will the public interest be met when we deal with sustainability of our forests, but that a broader interest for all Ontarians will be met, which is that we can clearly convince the international community that buys from us that the goods we are selling are produced, are developed, are grown in a way that's sustainable in the long term.

The problem we have had is that the existing legislation in the province has not imposed either professional standards or academic standards on anyone who actually practises forestry in the province. That has been a very serious concern. Because the law is silent on these important issues and because, as a consequence, there is virtually no accountability for what goes on in the forest, by whom, and what happens when you have serious consequences, when we are not managing it in a sustainable manner then we put Ontario forests at risk. When we put our forests at risk, we put all of those communities and workers who depend on those things at risk as well.

There is a need for the long-term viability of our industry to ensure that we enshrine in law those protections, those standards, those disciplinary measures, those educational measures which will ensure that the people who practise forestry are of the highest quality, highest capability and are committed to ensuring that our forests are managed in a sustainable way.

If we look at what role the professional foresters have already played, it's safe to say that, in fact, we have already asked professional foresters to do a number of things in law in the past which lead us here today in a very logical sequence of events. The old Crown Timber Act, for example, did require that registered professional foresters had to sign off on forest management plans. Then, when that act was replaced by our Crown Forest Sustainability Act during the NDP government, registered professional foresters continued to be—and I think their role actually increased in this regard—important in the development of forest management plans and again, in law, there were enshrined sign-off conditions on those plans.

If you look as well at the work that was done by the class environmental assessment on timber management after six long years of work, you will recall that the board members, one of whom I know intimately, recommended that foresters be much more actively involved in the management of forests. If you look specifically at terms and conditions 2 and 3 in that particular EA, you will see that they direct professional foresters to prepare those forest management plans, so that in effect they become the plan authors. Again, they have to sign off on these things, and they become accountable.

So we have in the past asked professional foresters to do a number of things that have made them somewhat accountable, that have put their credibility as professionals on the line. That leads us today to the next logical

step, which would be to enshrine in law the regulation of this body. That does a couple of things. It allows the professional association to support the government and private sector actions that pertain to sustainability. It ensures that the highest standards of practice and forest science are met. It strengthens the accountability of professional foresters as well.

Through the bill, we will for the first time impose in law, in the act and in regulations, the academic and the professional standards of foresters who manage our forests. We will as well impose in law and in regulation some of those disciplinary structures needed to ensure that professional foresters are accountable and what will happen when they do not work in the public interest. We will as well—and this is probably the most important thing—enshrine in law the need to have a licence to practise professional forestry in the province.

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The key with respect to the licence is that it will send a very clear message to the public that foresters are serious about managing Ontario forests, they are serious about guaranteeing the sustainability of Ontario forests and they are willing to put their licence on the line to guarantee all of those things. If you think about it, if you don't act in a responsible manner, if you don't care about sustainability, if you sign off on forestry plans that are not sustainable, not manageable, then the risk you run is to lose your licence, and if you lose your licence, then you won't be able to work in Ontario. I think that will provide for a very effective deterrent for those who don't want to practise in a sustainable way. It will guarantee to the public that the people who are out there managing the forests on our behalf do indeed have a large role to play, are capable, are competent, are serious about their work and know full well that if they don't do a good job, then their livelihood is at risk.

I won't go through the details of the bill that impose all of the various structures. Frankly, those structures, the disciplinary measures, the continuing education standards etc are much the same as some of the other bills we have passed in this House when we have regulated other professions, for example, the health professions that we regulated when we were in government or the regulation of the geoscientists that was done by this government in the last sitting, so I won't go through those.

I will, however, make reference to an amendment that we did move, that I think was an important amendment. On June 22, our leader, Howard Hampton, attended the public hearings on behalf of the New Democratic Party. He has an interest in this matter, given he is a former Minister of Natural Resources and was responsible for the Crown Forest Sustainability Act, which changed some of the work that professional foresters did.

The change that was recommended and then accepted by the committee refers back to the scope of practice, which is subsection 3(1). The change reads as follows: "The practice of professional forestry is the provision of services in relation to the development, management, conservation and sustainability of forests and urban

forests where those services require knowledge, training and experience equivalent to that required to become a member under this act," and includes a number of provisions as well. I think that was an important amendment and one that I am glad the professional foresters association accepted and the committee accepted because clearly the bill and the passage of it hinges on protecting our forests and ensuring they are sustainable.

It was one of the arguments that the association has consistently used in trying to advocate for the regulation of members of this industry, so it only makes sense that we would incorporate right into the scope of practice of professional foresters that key term "sustainability." That is what this bill is to be all about. That is what the public interest is all about in terms of what needs to be protected. Frankly, as I said earlier, that was at the core of the lobbying effort that was done by professional foresters, that they wanted to guarantee the sustainability of our forests. The way to do that most effectively was to regulate them and enshrine that in law.

I would look forward to one of the first acts of professional foresters being to perhaps comment on the government's proposal to clear-cut huge tracts of land in Ontario, which I think is the most ridiculous idea that's come out of the Ministry of Natural Resources in a long time. The level of clear-cuts that we have in the province now goes directly back to the work the Environmental Assessment Board did when they did the class timber environmental assessment. The level of the clear-cuts, the hectares of the clear-cuts go directly back to that class EA. After six years of work, after six years of hearing from all of the experts, I think the EA board knew what it was talking about when it said, "You shouldn't allow for huge clear-cuts in Ontario. They're not sustainable. They give us a black eye in international markets."

I heard the Minister of Natural Resources the other day on radio, on CBC in Sudbury, trying to say, "We're doing this because it's going to help us keep the caribou herd." He was immediately followed up by a wildlife biologist from Laurentian University, whose name I forget—I regret that—who essentially said the minister didn't know what he was talking about. There was no evidence whatsoever to show that a huge clear-cut would sustain caribou herds. In fact, he made the point that when you have a huge clear-cut, it's hard to sustain any wildlife at all, anywhere, when there is nothing for them to feed on.

I hope in terms of the work they do on sustainability and guaranteeing that, the Ontario Professional Foresters Association will make some public comments about this minister's harebrained scheme to allow huge clear-cuts in the province, a practice that every other jurisdiction that cares about forestry, particularly in Scandinavian countries, is moving away from. Why we are going down that road to cater to the big forestry companies is beyond me. I hope the minister will have some sober second thoughts about this silliness and actually go back to what we've had in place, which is in place because of six years of work done by the class environmental assessment for

timber management. They canvassed all of the expertise with respect to clear-cuts and came to a decision about what the size should be, which is what we have in place now. It would be foolhardy of the minister now to move away from that merely to cater to some of the large forestry companies.

In conclusion, let me remind the government members that of course New Democrats will support the bill here this evening. We supported Bill 71 two years ago when it went through this House. My only regret is that the government didn't support it in committee, because we could have had this bill passed two years ago, and professional foresters regulated two years ago and, more importantly, the public interest much more protected two years ago if the government had seen fit to pass the bill. But here we are tonight, and we will agree to pass it on second and third reading.

I would certainly like to thank John Carey and Rick Monzon from the Ontario Professional Foresters Association, who are in the gallery today. They have worked long and hard, not only over the last two years but two years before that, to get us here. We thank you for all of your work and we look forward to meeting with you when you are professionals regulated under this act.

Mr Ted Chudleigh (Halton): It gives me a great deal of pleasure to rise in the House today and speak to the Professional Foresters Act, Bill 110.

Ontario has some of the best forests in the world, we have some of the best managers in the world and we have some of the best planning in the world, and it gives me a great deal of pleasure to bring this bill in, which will reinforce those issues, although listening in the House today, you would wonder sometimes.

I want you to know that Mr Bartolucci, the member for Sudbury—I'm sorry, we're supposed to refer to him as the member from Sudbury—is celebrating his birthday this evening. We were planning on singing Happy Birthday to him until he entered into his tirade. So we've cancelled the Happy Birthday, but I can assure you that we're pleased that Mr Bartolucci is celebrating that most memorable event.

I realize we're not doing the two-minute comment-and-question periods around the House; however, the member from Nickel Belt was speaking about a bill that was before the House in the last session and seemed to suggest that the Conservative Party somehow killed that bill. She has rather a foggy memory on it. I think that's a polite way of pointing that out.

There was a piece of that bill that needed a check and a balance put in place. I was parliamentary assistant at natural resources at that time and we agreed that we would make that change. As the time came for that change to be reintroduced in committee—

Hon Chris Stockwell (Minister of Labour): What happened?

Mr Chudleigh: —the House prorogued. At the time of the House proroguing—

Interjections.

Mr Chudleigh: Actually, members, I don't mind handling their heckling; your heckling is a little distracting.

At the time the House prorogues, there is usually a bill or a motion that is put in place before the House that allows certain bills to be carried over. At that particular session, that bill, which was prepared and which had Bill 71 on it, didn't receive royal assent because a member of the opposition—

Mr Bart Maves (Niagara Falls): Name names.

Mr Chudleigh: —the member for Renfrew, as I recall, spoke out and killed the clock on the final day, therefore eliminating all of those sessions.

As parliamentary assistant to natural resources at that time, I thought it was a shame that a bill like that died, which is exactly why I reintroduced the bill into committee this spring, to bring it to this point.

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I spoke to David Ramsay, the member from Timiskaming, about reintroducing the bill. He said his private member's issue was not coming up in time and he agreed that we should introduce it in this process through the bill. I would offer that to the member for Nickel Belt to perhaps correct her memory on this.

But again, it gives me a great deal of pleasure to stand before the House tonight and talk to this bill, because it is an important piece of legislation. I particularly want to thank John Carey and Rick Monzon from the professional foresters association for being with us this evening to share in this particular event.

As the member for Nickel Belt mentioned, forestry in the north equates to jobs. Forestry and jobs are synonymous in northern and central Ontario. In fact, it accounts for about 28,000 direct jobs and many, many more spinoffs. Forest products in this province generate about \$3 billion, as far as taxes are concerned, to the various levels of government. That is indeed an important part of this province's financial viability.

Sustainability of forests is at risk because anyone in Ontario can practise forestry in Ontario. It means guidelines are not always met. Currently there is no commitment to ongoing education, no realistic penalties for malpractice nor an effective mechanism for discipline. This bill will change all that. This bill will require that practitioners of professional forestry be licensed and subject to peer review, public scrutiny and accountability, three things that are missing from the current practices.

Legislation will set in place the mechanisms for developing and enforcing professional standards. The Ontario Professional Foresters Association will become more active through stronger legislation, which will increase the degree of public scrutiny and involvement, both important parts of this act.

Foresters will be required to upgrade their knowledge and skills on a regular basis. The profession is reasonably well coordinated across Canada, so foresters should not be impeded from moving from one jurisdiction to another.

Licensing will not prevent owners of private woodlots from managing their own lands but, when seeking guidance, professional foresters will be there. It's important, when you're seeking guidance to manage your own forest, that you have confidence in the people who are delivering that advice.

Professional forestry is defined as "the provision of services in relation to the development, management, conservation and sustainability of forests and urban forests, including forest management, conservation, valuation of a forest, classification and mapping of forest areas, tree harvesting and renewal, forest transportation, protection of forest resources and maintenance of wildlife habitats."

It gives me a great deal of pleasure to be here tonight to see this bill passed into law.

Thank you very much. I think my time is complete.

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: Unlike the member for Halton who chose to refer to my colleague from Sudbury's birthday in a partisan manner, I just want to assure him that this side of the House does wish my colleague from Sudbury a very happy birthday today. I think it's his 40th birthday; that's what he tells me. But certainly we extend that. I'm sure the government members regret the comment made by the member from Halton and join all of us in wishing Mr Bartolucci a happy birthday.

The Acting Speaker: Further debate?

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm pleased to have the opportunity to stand in the House this evening and indicate that I will be able to support Bill 110, which is before us this evening. It's important, as a member of the Liberal caucus, that I share with you that certainly I have read and understand that my colleague the member from Timiskaming actually had, in the previous Legislature, introduced Bill 71, which for the most part is what we are dealing with this evening.

While the member for Halton would attempt to make the point that it was a member of the Liberal government who prolonged some debate that prevented that bill from becoming law, I think it's important for all of us this evening to understand that, first of all, the member from Renfrew, a gentleman who I know is a very principled individual—the purpose of his debate in that session was certainly not to arrest the passage of Bill 71 by his colleague at that time, but to address a very important issue before the House. I believe it had to do with the compensation this government decided it would offer on behalf of a government member who had a legal situation, which the member from Renfrew-Nipissing thought was absolutely inappropriate. So that the comments of the member from Halton might be put in some frame of reference, I think it's important to remind members this evening that it was not the intent of the member from Renfrew-Nipissing to stop passage of Bill 71, which for all intents and purposes is the bill we are discussing tonight. It was to discuss a very important and

what he considered grievous breach of what was appropriately considered by this Legislative Assembly.

Also with regard to statements made by the member from Halton, who would present that this government is a real advocate for the forest industry in Ontario, I would simply like to remind the members of the government who are present this evening and remind, perhaps even inform, the people of Ontario who are watching this evening that the Tory government has cut \$46 million and 320 jobs from the forest management program within the Ministry of Natural Resources. I come from a community—Tweed, Ontario—where we had a Ministry of Natural Resources office, so my community is certainly familiar with the significant and important role foresters play within the Ministry of Natural Resources management plan, and has been impacted in a most negative way, I would suggest, first of all by the closure of that office in my community, and certainly by what we've been given to understand since that time is a significant reduction of the services of foresters and forest technicians since the many Ministry of Natural Resources offices have been closed.

I think it is important that I place on the record this evening that as a member of the Liberal caucus I support Bill 110, which for all intents and purposes mirrors Bill 71, which my colleague introduced in the previous government. I would like to thank the members of the foresters profession who have contributed significantly to the background and shaping of this legislation. I think it's important that professionals who are trained and who understand effective management practices would be officially recognized to be the agents involved in the management of our forest resources. I recognize the foresters who are present this evening to understand this debate, and I offer to them that certainly the members of the Liberal caucus thank you, commend you and encourage you to continue the very fine work you do on behalf of the residents of Ontario to ensure we will have a sustainable forest resource for the generations to come.

That concludes the comments I would make on Bill 110, which is very similar to my colleague's Bill 71, and I certainly intend to support this piece of legislation this evening.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I am very pleased to join in the debate. The member for Sudbury has rejoined us, and I want to congratulate him on achieving another age milestone.

The bill, entitled An Act respecting the regulation of the practice of Professional Forestry, is certainly an important one. Obviously the sustainability of Ontario's forests is not at risk. Professional foresters play an important part in protecting our natural heritage. The history of Ontario foresters has been long and revered in Ontario. It goes back to the Foresters Act of 1957, and there is a general sense that a licensed body of foresters would bring a better balance in the use of Ontario's forests. I guess this feeling is universal in the House, with all three parties supporting this bill, which I may say is unusual.

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I just want to say, for the general public and for this government, that public confidence is increased with the establishment of an additional accountability mechanism to assure the sustainability of Ontario's forests, and it has increased public confidence in the government's management of the forest resource due to an additional level of public interest protection.

Mr Garfield Dunlop (Simcoe North): I too am pleased to be here this evening to take part in the debate on second reading of Bill 110, the Professional Foresters Act. I'll be very brief.

I just want to make the point that I come from a part of rural Ontario. I represent part of Simcoe county, as does Mr Tascona. We happen to have, in Simcoe county, the largest municipally owned forestry acreage in the province. We have almost 30,000 acres. We in Simcoe county are very proud of that. The land was purchased over the last 75 or 80 years. A lot of the land in and around the Midhurst area of Simcoe county was sand fields in the early 1920s. They forested that and planted 3,000 or 4,000 acres at that time. But the county has historically purchased land throughout the county and now has about 30,000 acres. Each year they take revenue of about \$1.5 million off that 30,000 acres, which they put into reserves.

I just wanted to make that point tonight, because I think it's been well managed in Simcoe county. I think it's been well managed across the province, but there's always room for improvement, and this act will make those improvements.

Mr Michael A. Brown (Algoma-Manitoulin): If I could just intervene in this debate briefly to recognize the member for Timiskaming, who initially brought this matter before us some time ago, and indicate the support we in our caucus have for this legislation. I spoke to this some time ago, when Mr Ramsay brought this before the House, and we supported it then.

I would say that the issues confronting forestry in Ontario are always interesting, and tend to get more interesting—I look over there at some of my friends in the gallery. I want to point out, Mr Speaker, because I know you would be aware of this, that with the increased size of clear-cuts that are being permitted in the province, we now have additional wildlife management issues. That came to a head in Dubreuilville just this past weekend, when some of my constituents, going out in preparation for the moose hunt, went to scout out where they were going to hunt and found to their amazement that nine areas had been closed to hunting because of a need for evaluation of moose habitat with the increased size of clear-cutting in the province. The 900 folks I represent in Dubreuilville were less than impressed that they had no notice of this and that it happened with barely a week's notice before the season was to begin.

The role of professional foresters under the Crown Forest Sustainability Act and the various other acts, including management of private lands, is very important. It's good to know we will have professionals

doing the assessments. The public needs the confidence this act will bring. I just want to indicate my support for this measure at this time.

The Acting Speaker: Further debate?

Mr Gilchrist has moved second reading of Bill 110, An Act respecting the regulation of the practice of Professional Forestry.

Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Hon Mr Klees: Mr Speaker, pursuant to standing order 72(c), I now ask for unanimous consent to move third reading of Bill 110.

The Acting Speaker: Agreed? Agreed.

PROFESSIONAL FORESTERS ACT, 2000

LOI DE 2000 SUR

LES FORESTIERS PROFESSIONNELS

Mr Gilchrist moved third reading of the following bill:

Bill 110, An Act respecting the regulation of the practice of Professional Forestry / Projet de loi 110, Loi concernant la réglementation de l'exercice de la profession de forestier.

Mr Steve Gilchrist (Scarborough East): I'll restrict my comments to simply thanking members from all parties, not just for their comments here tonight, but for their work in committee, congratulating them all for, I think, the wisdom of supporting a standing order 124 initiative. I hope it is simply the second of a long, long stream of good ideas that come out of committee in the form of legislation.

The Acting Speaker (Mr Tony Martin): Mr Gilchrist has moved third reading of Bill 110, An Act respecting the regulation of the practice of Professional Forestry.

Is it the pleasure of the House that the bill do carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Frank Klees (Minister without Portfolio): I move adjournment of the House.

The Acting Speaker: Is it the pleasure of the House that we adjourn? Agreed.

This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1936.

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First Session, 37th Parliament

Assemblée législative de l'Ontario

Première session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 11 October 2000

Mercredi 11 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ONTARIO TRILLIUM FOUNDATION

Ms Caroline Di Cocco (Sarnia-Lambton): The Ontario Trillium Foundation is failing charitable organizations in Sarnia-Lambton. Revenue sources have been reduced by 45% with the introduction of slot machines and charity casinos, which have replaced revenue from volunteer-run bingos and Monte Carlos.

Minister Hodgson stated in 1998 that charities would receive 100% of the net revenue from table games at the charity casinos. It's ironic that the charity casinos are now detrimental to charitable organizations' ability to raise funds. The organizations in jeopardy are the Alzheimer Society, Big Brothers, Big Sisters, the Canadian Hearing Society, the Canadian Mental Health Association, the Canadian Red Cross, Family YMCA, Goodwill Industries, Huron House boys' home, the Multiple Sclerosis Society, the Sexual Assault Survivor Centre, the United Way, the VON, the Women's Interval House, Rebound and Senior VIP.

These organizations are in crisis because the Trillium Foundation's funding process is restrictive and has no provision for assistance to existing successful programs. These organizations are facing program reductions, program eliminations, cutbacks in staffing and inability to meet new community needs. In other words, the social support structure of Lambton county is in jeopardy.

The reality proves that Minister Hodgson was wrong when he stated that more dollars would go to charities. Where is all the gambling money going?

AILSA CRAIG APPRECIATION BANQUET

Mr Bert Johnson (Perth-Middlesex): Last Saturday, I had the privilege of attending an appreciation banquet for volunteers in my riding of Perth-Middlesex. The village of Ailsa Craig hosted this special evening to honour those who donate their time, talent and skills to serve their community.

Two of the individuals receiving recognition were the late Tye Barnes and Bob Hooper. Tye and Bob were great friends and were dedicated to Ailsa Craig. They worked together on many projects, including looking

after the local recreation centre, and they have a Canadian 46-cent stamp in their honour.

Another important individual to the community was Bryn Gilles. After a battle with cancer, memorial donations were made in Bryn's name and the recreation centre used the proceeds to purchase a large-screen movie projector. Now local children have the chance to watch movies and share fun in their own community.

Although I did not have the opportunity to meet these great men, I know from the kind remarks that were made in their honour that they were truly heroes.

The village of Ailsa Craig is a vibrant community located northwest of London on Highway 7 in the county of Middlesex. Ailsa Craig is famous worldwide for its annual turtle races, held every July.

I'd like to take this opportunity to thank the council of the village of Ailsa Craig for inviting me to attend their appreciation banquet. My thanks go to Reeve Don Shipway, councillors Lynne Burns, Ken Johnston, Gary Keays and Bob Thomson for organizing this event.

Ailsa Craig is an example of what makes our province strong and vibrant.

SPORTS AND RECREATION FUNDING

Mr Mario Sergio (York West): Non-profit community organization volunteer groups and local neighbourhood sporting clubs no longer can provide services or operate programs due to extreme and prohibitive increases in leasing community space.

Three hundred per cent increases over last year's rate are quite common in many communities, and this spells the end of many recreational programs for after-school groups.

This can only give way to more and, in many cases, higher user fees. This is unfair to the thousands of needy and poor kids who will be affected. For the many hard-working families in my riding of York West and also throughout Ontario, it will be unbearable to come up with more money for after-school programs.

Cuts in provincial funding that affect school boards are, in effect, penalizing our children. The Mike Harris government's new funding formula is responsible for the cuts and the empty community spaces. Many volunteers and volunteer organizations are ready and willing to face the challenge, but only if affordable community space is available.

I call on you, Premier, to get involved and make a commitment to provide the necessary funding. Premier,

please support our community groups, our volunteer organizations and, above all, our kids.

BRAMPTON ECONOMY

Mr Joseph Spina (Brampton Centre): I'm pleased today to bring more great news from Brampton. Recently the Brampton Economic Development Office was presented with both a gold and platinum award at the 32nd annual Economic Developers Association of Canada congress. The gold award was for the best among those communities with a population of 150,000 or more, and the platinum for the best community economic development program in Canada.

Brampton's submission detailed the progress the city and its many partners have made since launching the successful Small Business Enterprise Centre in 1998. At that time the economic development office moved from a location somewhere on the fifth floor of city hall to a street front.

Since then, the number of new businesses in Brampton has grown at a significant rate. Before this move the small business self-help office served about 4,500 clients and registered maybe 1,000 or so businesses per year. The new Small Business Enterprise Centre has assisted 18,000 clients and registers 4,500 new businesses per year since February of 1998.

The Small Business Enterprise Centre is dedicated to supporting small business growth by providing free business consulting, access to information, computer Internet access, accountant and lawyer referral program, site selection and many other services.

I'd like all members of the House to join me in congratulating our Brampton Economic Development Office in this tremendous achievement, an idea that I was very pleased to spawn when I was parliamentary assistant to the minister.

AGRICULTURAL FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): My statement today is to the Premier. As everyone in this House knows, the second-largest industry in our province and in fact in Canada is agri-food. Traditionally, the only fear farmers had was bad weather. That has changed dramatically this year. This year, they've had a two-punch hit on them.

First of all, the weather was incredibly wet, causing significant numbers of farmers to not be able to get on the land to plant. When that has happened in most years, and in all previous years, although the quantity would be down, the price would be up significantly for their product. This year, for the first time, they're down 25% to 40% in the quantity of the crop and the prices are extremely low.

The answer for this low price is also very obvious to the Premier. That is that the Americans and the European countries subsidize their farmers at a far higher rate than we do. It has placed our farmers at a severe disadvantage.

Many times, Premier, you pointed your finger at the federal government and said they're the cause of the problem. You have not once, at a first ministers' conference, raised the issue of farm subsidies. Not once did it have any significance to you.

Our farmers look with envy at the support provided the agricultural community in Quebec and Alberta. Deliver on your promise of last year and five years ago to work for the farmers. Agriculture in this province is under attack. Action is needed now.

1340

HOME CARE

Ms Frances Lankin (Beaches-East York): At lunch-time today I attended a demonstration of home care workers outside of the Minister of Health's office. In case she wasn't listening out the window, I want to repeat the message. Toronto's SPRINT home care workers, personal support workers, have been on strike now for five weeks. Monday night, 200 CCAC workers in Hamilton went on strike. These workers are out on the frontline delivering home care services and they know how your competitive bidding model has failed the clients they serve on an everyday basis.

The Ontario Home Support Association and Ontario Community Care Association have issued a report calling the state of human resources in the community care sector "a looming crisis." There are long waiting lists for services. We see the disparity in wages between the community sector and the hospital sector, leading to a flood of qualified workers leaving the community and going to the hospital. That means there aren't the supports there. That means the money that the minister announced this morning will not end the emergency room crisis. There's nowhere for these people to go. The money that she's announced for the community care access centres doesn't even come close to meeting their deficits, let alone funding the pay equity requirements, let alone addressing the issue of disparity.

The review of competitive bidding that the minister has announced is a backroom sham. We want you to open it up. Invite the workers to the table, invite the clients to the table, and you'll hear how your competitive bidding experiment is failing the people of Ontario.

FIRE PREVENTION WEEK

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I would like to take this opportunity to help launch Fire Prevention Week in Ontario, when fire departments throughout the province encourage Ontario families to develop and practise good fire safety strategies.

October 8 to 14 is Fire Prevention Week, and it's now well underway in Ontario. This week of special fire safety promotions and events involves the support and participation of fire services throughout the province, the fire marshal's public safety council and our private sector partners.

In 1999, Ontario recorded its lowest fire death rate ever. This year we're on target to reduce the number even further. That means our message is working. Ontarians are taking fire safety seriously; however, one fire death is still one too many.

This year's theme for Fire Prevention Week is Fire Drills: The Great Escape. Having a home escape plan is perhaps the single most important factor in surviving a home fire. I want to encourage everyone to develop and practise a home escape plan, because planning and common sense go hand in hand in avoiding and surviving home fires.

Next month will see the fire marshal's public safety council's annual fire safety awards, where we will honour the contributions of young people who took decisive action to prevent or minimize potentially dangerous fire situations.

We encourage everyone here in the House and throughout the province to join families across North America and take part in the great escape drill tomorrow night at 7 pm. I want everyone to practise their emergency escape and gain peace of mind, knowing that having a home escape plan will help you and your family better survive a home fire.

MPP BACK TO SCHOOL PROGRAM

Mr Gerard Kennedy (Parkdale-High Park): It gives me great pleasure to rise today and speak to the people of Ontario about the MPP back to school program initiated by our leader, Dalton McGuinty, and myself, and which I'm proud to report to this chamber that a majority of members of this House have agreed to take part in. They have agreed, with their average of 30 years out of school, to go back to school.

I think it's an important message to be sending at this time to the people of this province, to the parents of this province and to the students of this province, that there is an ability, a willingness on the part of at least some of the members of this House—what we hope will eventually extend to all of the members of this House—to accept the need to be more informed, to be able to accept the responsibility.

I want to draw in contrast, however, to some of the answers the Minister of Education gave in estimates yesterday. When I asked the Minister of Education, she said that she didn't feel she had any responsibility for the teacher morale problem in this province. We heard from the minister saying that she didn't feel she had any responsibility to do anything about the chaos that's afflicted so many of the schools across the province. For example, we had in the room at estimates students from Rockland school who had come here to talk to the minister, to get some answers about how they can have what they had last year before Bill 74, supported by the members opposite—hopefully, they may change their minds once they go back to school—brought chaos into those schools.

I want to recommend that each person who goes back to school answers this simple question—as I know one of the interns at my office, Miguel, is here—are we better off for five years of changes in education? I think the answer will be very, very clear.

BOWMANVILLE APPLEFEST

Mr John O'Toole (Durham): The time has finally arrived for something that everyone's been waiting for. I want to invite my colleagues not to participate in a classroom exercise so much as to come to my riding of Durham this Saturday, October 14, for Bowmanville's annual apple festival. This popular daylong event is free, which will attract some members, and is located just 45 minutes east of Toronto in the municipality of Clarington. Applefest has grown over the past decade into a favourite, must-see event for many Ontarians, last year attracting over 30,000 people.

I want to thank Bowmanville Business Centre organizers Garth Gilpin, Ron Hooper and probably George Webster, along with the many volunteers who have worked tirelessly over the years to make Applefest a success for the entire family to enjoy.

As I have mentioned before in the House, agriculture is the second-largest industry in Durham. I'd like to take a moment to mention some of the apple growers in my riding of Durham: Charles Stevens, Kirk Kemp, Fred and Sandy Archibald, Ted Watson, Bob and Gail Simpson and Rob Shafer from the famous Tyrone Mill.

Everything from apple cider to the ever-popular hot apple fritters will be on sale, in addition to other treats and entertainment, including professional lumberjack competitions, woodcarving, a chainsaw competition and live entertainment.

The apple festival is one of the many events scheduled in my riding of Durham this fall. I encourage and invite all members to participate. You're welcome in Durham.

VISITORS

The Speaker (Hon Gary Carr): We have in the Speaker's gallery a delegation from Pachino in Sicily. Joining us today are some members. Dottore Reale, Marica Cirone, Professor Ignaccolo and Dottore Cimino are here with us today. If all members could join in and welcome our guests here today.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Frances Lankin (Beaches-East York): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill without amendment:

Bill Pr25, An Act to revive 1274187 Ontario Limited.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

1350

INTRODUCTION OF BILLS

HIGH-TECH CAPITAL OF ONTARIO ACT, 2000

LOI DE 2000 SUR LA CAPITALE ONTARIENNE DE LA HAUTE TECHNOLOGIE

Mr Coburn moved first reading of the following bill:

Bill 126, An Act to proclaim the City of Ottawa as the high-tech capital of Ontario / Projet de loi 126, Loi proclamant la ville d'Ottawa capitale ontarienne de la haute technologie

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

Mr Brian Coburn (Ottawa-Orléans): I would like to give a brief background of my bill, and I look forward to a positive debate later this month.

The Ottawa-Carleton region, soon to become the new city of Ottawa on January 1, is widely recognized, indeed virtually universally recognized, as Canada's high-tech capital.

For the first time ever, employment in the technology sector in Ottawa exceeds all other categories, including government. Based on the latest data from the Ottawa Economic Development Corp, the high-tech sector employs over 70,000 people, an increase of an incredible 754% since 1976. Indeed, high-tech companies are experiencing great difficulty in filling roles within their organizations due to the breakneck level of growth.

International powerhouses such as JDS Uniphase, Nortel Networks and Newbridge Networks, along with over 1,000 other companies in this sector—incidentally, the largest such concentration anywhere in Canada—have contributed to Ottawa's rise to the top of the global high-technology centres and earned it the popular nickname, Silicon Valley North.

This bill would recognize these facts in law and would formalize Ottawa's reputation as Ontario's high-tech capital.

I would ask that all members consider this bill, along with the facts, and I look forward to a debate in two weeks' time.

RENT FREEZE ACT, 2000

LOI DE 2000 SUR LE GEL DES LOYERS

Mr Marchese moved first reading of the following bill:

Bill 127, An Act to amend the Tenant Protection Act, 1997 / Projet de loi 127, Loi modifiant la Loi de 1997 sur la protection des locataires.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Rosario Marchese (Trinity-Spadina): The bill freezes the amount of residential rents for a period of two years. Notices and applications for rent increases to take effect after the bill passes will have no effect. No rent increase will be permitted on renting to a new tenant. Landlords will be required to give new tenants a statement certifying the amount of rent last charged for the unit. Landlords who give false statements or fail to give the statements will be subject to prosecution. Landlords will no longer be permitted to increase the rent charged to the maximum rent allowed when part VI of the Tenant Protection Act, 1997, came into force.

Not just me, but 3.3 million tenants are expecting a fair response from Mr Harris and the other members.

ORAL QUESTIONS

HEALTH CARE REFORM

The Speaker (Hon Gary Carr): Motions? Statements by ministries? That brings us down to oral questions and the leader of the official opposition.

Mr Dalton McGuinty (Leader of the Opposition): Speaker, I prefer to think of it as bringing us up to oral questions, rather than down to oral questions.

I want to begin with the Minister of Health today. You may not recognize it as such, but we have a full-blown crisis in our emergency rooms, especially here in the Toronto area. Our ER backlogs have risen steadily every year since 1996. The number of hours that Toronto area hospitals are locking their doors to ambulances has risen 650% in the last five years.

The reason you insist on coming up with you're announcements of the month, the reason you continue to tinker around the edges is because you are refusing to admit that you are the cause of the problem. You cut 5,700 beds out of our hospitals, and the fact is quite simply that ambulances have no place to bring their patients to. There is no room inside our hospitals for our ambulance patients.

Madam Minister, when are you going to finally admit that you're the cause of this problem and that you've got to start reopening hospital beds?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): If the Leader of the Opposition would think back some period of time, he will remember that the whole issue of emergency room pressures is a

long-standing problem, not only in this province, but it was also identified last week by all the provincial and territorial health ministers as an issue they wish to address.

In 1998 we decided, for the very first time, to look for solutions to the emergency room pressures, despite the fact that the two previous governments had dealt with the problems but not looked for solutions. I'm very pleased to say that since 1998, in response to the recommendations that have come forward from the hospitals, the doctors, the nurses and the ambulance sector, we have made good progress in addressing emergency issues.

Mr McGuinty: I'm going to ask on behalf of the people of this province, but especially our patients and their families, that you once and for all come clean on this issue. I have here a chart that was presented in evidence at the Joshua Fleuelling inquest. Dr Scholl, a non-partisan, arm's-length expert in these matters, presented this evidence, and it shows quite clearly, if you take a look at this chart, what happened to our emergency department overcrowding. It says that post-restructuring—this is what happened to emergency department overcrowding post-restructuring—it has skyrocketed.

Madam Minister, when are you finally going to take some responsibility for creating the mess that is putting Ontarians at risk? There is no room—I repeat, there is no room—inside our hospitals to admit our ambulance patients because you have shut down hospital beds. What I'm asking you to do is take responsibility, put aside your pride for the moment and start to reopen hospital beds. Why don't you do that?

Hon Mrs Witmer: As I said in my first comment, we have been moving forward with a very comprehensive emergency room plan since 1998, when we called the health stakeholders together. At that time, the health stakeholders indicated there was no single problem that could be identified. There were many reasons for the pressures.

But I'm very pleased to say our government has been moving forward. We have opened additional interim long-term-care beds, we have expanded community services, we have added nurses and more physicians to the system, we have increased coordination among the sector and I'm very pleased to say that this year we have added 1,200 beds to the system.

Mr McGuinty: You're not moving forward. You continue to tinker around the edges. The problem here is as clear and as plain as the solution. You cut 5,700 beds out of Ontario hospitals. The result is that when an ambulance brings a patient to the emergency ward, there is no room inside the emergency ward because there is no room upstairs in the hospital. The result is that they are sending them away. We've got ambulance patients on this endless merry-go-round, going from hospital to hospital trying to find room.

Here's another piece of very frightening information. We've now learned that in Toronto it takes an ambulance 54% longer to transport a patient with chest pains to a hospital than it did before this minister started restructuring. That means it's taking seven more minutes from

the time they pick up a patient with chest pains to get them to the hospital, at a time when you will well recognize that time is of the essence; it is critical. Will you set aside your false pride and do the right thing and start to reopen hospital beds?

Hon Mrs Witmer: If the solution were so simple, obviously the Liberals would have looked at that solution when they had the pressures in the late 1980s. But let me indicate that since 1998 our government has moved forward with more than \$620 million in initiatives to improve access to hospital emergency departments. We have added \$100 million as part of the strategy to ease pressure on emergency rooms across the province. We have added \$23 million to implement the 10-point action plan, \$93 million in alternative funding arrangements, \$97 million to fast-track the expansion of emergency rooms in 56 hospitals and \$90 million over four years for transitional relief. I am very pleased to say we are making progress. We are the first government in three—

The Speaker: The minister's time is up.

1400

MUNICIPAL RESTRUCTURING

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Municipal Affairs. We believe that safe drinking water is the birthright of every Ontarian. This morning we discovered that this government is drafting secret plans that include the active consideration of selling our waterworks to the private sector. Your government is actively considering selling off to the private sector the plants that make our water safe for us to drink and the pipes that distribute that very same water to our homes.

Minister, I want to give you the opportunity, here and now, to disabuse us of this notion. Tell us it isn't so, that this is not true, that you are not in any way considering turning over the infrastructure that delivers safe and clean drinking water to our homes to the private sector at any time.

Hon Tony Clement (Minister of Municipal Affairs and Housing): I don't know what the honourable member is talking about. Sometimes Liberal research does steer him in the wrong direction. I can assure this House that this government is not forcing municipalities to do anything. These are their assets. They have the responsibility locally to deliver the best, the safest and the most efficient services available, and that includes water.

Mr McGuinty: It's obvious from the minister's non-answer that he's not prepared to rule out—you'll have another opportunity shortly, Minister, but right now that answer tells me you are not prepared to rule out selling off waterworks to the private sector.

I understand that you had advisers in from Margaret Thatcher's regime, from England. Those are the people you should not be talking to when it comes to privatization of our water. Look at what happened there: huge increases in water bills, threats to cut off water to entire towns, water to low-income families rationed and, so far,

250 successful prosecutions of water companies since their privatizing experience began.

I'm going to give you another opportunity, Minister. Tell us your government is not now and will at no time during its mandate consider privatizing waterworks.

Hon Mr Clement: The honourable member is having difficulty taking no for an answer. I said no. We don't have those plans. It is not our responsibility; it is the ownership and responsibility of municipal governments. We will certainly encourage, as we have always encouraged and as we encouraged last week, the best, the safest, the most efficient and the most accountable service delivery to the taxpayer by the municipalities, but we are not in the business of forcing those municipalities to sell their assets. That's not our responsibility; that's not our role in government. If the honourable member wants us to take part in that responsibility and somehow interfere with municipal responsibility, I would say to this House that he's flip-flopping once again.

Mr McGuinty: Minister, let's cut to the chase. You put our municipalities in a bind. Your government downloaded waterworks on to municipalities, many of which did not have the resources or expertise to deal with it. Now you've decided, "Well, since that system isn't working, we've got to find something else," and instead of taking greater responsibility for delivering safe and clean drinking water to Ontarians, you're about to wash your hands of all responsibility.

Instead of being cute with the answer, will you tell us you are not going to not permit municipalities which find themselves in a terrible bind now, in a terrible predicament into which you have put them, to privatize their water infrastructure in a desperate move?

Hon Mr Clement: The honourable member is grasping a bit here. In the first part of the question he said we're forcing the municipalities to do one or another thing. In the last part of his question he demands that we interfere with the municipalities' right to look after their own interests on behalf of their own taxpayers, in a way that is accountable to the taxpayers.

We are here setting rules. We have the toughest rules when it comes to water delivery, and the cleanest, safest water supply as a result of Minister Newman's announcements earlier last month. We have those rules; we have the regulatory framework here in Ontario. But it's not our role to say, "Deal with this asset one way or deal with this asset another way." That's up to the municipalities. If municipalities cannot do that on behalf of their own citizens, then why have municipalities in the first place? The honourable member should stay in his own backyard rather than trying to interfere with the municipalities' own responsibilities.

WASTE MANAGEMENT

Ms Marilyn Churley (Toronto-Danforth): My question is to the acting Deputy Premier. I've just returned from a shameful scene at city hall. The risky Adams mine dump project is being pushed through. Peaceful protest-

ors, including my leader, Howard Hampton, have been forcefully removed by police, who are taking their names and addresses.

In a shocking betrayal, Mayor Lastman is now opening the door to building a giant incinerator and—get this—dumping the toxic ash in the Adams mine lake. And guess who's been given the rights to own that incinerator and the rights to that ash to dump up north. Why, it's Rail Cycle North, which is about to be bought out by WMI, one of the worst polluters in the USA. Rail Cycle North owns Toronto city council, Rail Cycle North owns Mayor Lastman, and it's pretty obvious that Rail Cycle North owns Premier Mike Harris and your government.

I ask you today, what are you going to do to stop this sellout and to stop this madness?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I'm not aware of any group owning Mayor Lastman or anybody else, and as a result we won't be acting upon investigation on that.

Ms Churley: I would suggest to the Deputy Premier that he take this a little bit more seriously. What went down at city council today is absolutely out of the question and shameful. A motion was passed that Rail Cycle North would be allowed to build an incinerator and then dump the toxic ash into the Adams lake. This deal stinks, and you should get it by now. Nothing proves it better than this last-minute creation of a new option for a giant incinerator.

Let me tell you, the people of Toronto don't want a giant incinerator and the people up north do not want toxic ash dumped in a lake, and your so-called environmental assessment did not look at the dumping of toxic, extremely hazardous waste into the lake up there. I would say today that our only hope is that the federal Liberals will call an environment assessment. I have dim hopes for that, but that seems to be our only hope.

You can show leadership today. You can get us out of this mess. Will you say no to incineration and will you say no to dumping toxic waste into a lake in northern Ontario?

Hon Mr Hodgson: I can tell you that the Minister of the Environment has answered this question in various forms for the last couple of weeks, and I think he has conveyed to the member opposite that the Ministry of the Environment, on its part, has ensured that a full environmental assessment was completed in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and the contaminant system to ensure groundwater contamination would be prevented. Hearings lasted six months and the board attached 26 conditions to the plan. A certificate of approval was issued. After further technical analysis of the project, the certificate carried 66 conditions. Eight independent peer reviews carefully analyzed the details of the plan and submitted their reviews, and the EA approved a judicial review; it went through that stage as well. It's now up to Toronto city council, as the member opposite is fully aware.

The Speaker (Hon Gary Carr): Final supplementary.

Mr Gilles Bisson (Timmins-James Bay): Sir, that is not acceptable. You know and I know and northerners know there has never been, at any time, an attempt by the environmental assessment people to take a look at the issue of toxic waste when it comes to what incineration is going to cause. You know it and we know it. I want to know as a northerner, along with the rest of us, what you're going to do as a government to protect the northern environment and ensure there is no toxic waste or any dumping allowed in that Adams mine.

Hon Mr Hodgson: The member opposite wants to raise his voice and yell loudly about this. They know that this is a difficult issue. Their government dealt with garbage for five years and created a tremendous mess right across the province. This project has gone through a number of approval stages in accordance with the Environmental Assessment Act. Experts have looked at this, people who have looked at the facts, and the city of Toronto, as you know, is considering this matter as we speak.

1410

NUTRIENT MANAGEMENT

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of Agriculture. Now that it's official—farm manure runoff tainted Walkerton's water; we know that now—the ball is in your court to table farm legislation immediately, just like you promised. You promised to bring in legislation last spring, and we have discovered in fact that you've been true to your word. You had legislation ready to roll as early as last June, but you never tabled it. That legislation was rejected by your cabinet colleagues. They killed the bill, and then your government stalled and stammered through a summer of inaction. Enough stalling, Minister. Will you table that legislation, which we know exists, today?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to thank the member for the question and I want to assure the member opposite that the quality of the water and public health is of utmost importance not only to this government but to the Ministry of Agriculture and to the farmers of this province.

As I mentioned before, we started a consultation process as early as last January on how to deal with manure management in the province coming from our farms. We did a complete process in travelling the province. My parliamentary assistant, Dr Galt, and the parliamentary assistant to the Minister of the Environment consulted far and wide in the province. They had many presentations on what we should be doing. They prepared a report, which I received. With that review and report, we put forward a proposal to the stakeholders in the province as to how we should deal not only with the report but with the handling of nutrient management in the province. We are preparing that legislation and we will be bringing it

forward in the very near future for discussion in this chamber.

Ms Churley: Minister, I ask you, where is the bill? Your draft legislation made it around farming circles. We know that. People read it. They saw that you had legislation ready to go in June, but you didn't act on it. Instead, you allowed a summer of finger-pointing in a ruthless attempt to duck the blame for your government's inaction around water safety.

All people are asking you, and farmers are asking the same thing, is for simple legislation to ensure proper nutrient management practices on our farms. After yesterday's statements about the cause of what happened in Walkerton, I cannot believe your answer today. Minister, I'm baffled. Why on earth didn't you, and why won't you, stand up to your Premier and to the rest of your cabinet and push forward that legislation that could save lives? Will you tell us today that you will do that immediately?

Hon Mr Hardeman: I want to point out that this is not an issue of who stands up to whom. This is an issue of trying to get the information and to design the best possible way of handling the nutrients in our farm community.

I would like to point out for all in the chamber and for the farmers and the people of Ontario that in fact the doctor yesterday did not say that this was the fault of improper management of nutrients on the farm. What was said is that there is a problem with the security of the groundwater wells that were there.

I can assure the member opposite that we will be working with the farm community, as we have been. As recently as September 23, the Minister of the Environment, the Minister of Municipal Affairs and I met with all the stakeholders, including the environmental groups, to have further discussions on what was required in order to have proper nutrient management in the province. I can assure the member opposite that as quickly as we can prepare that legislation, we will be bringing it forward for discussion in this chamber.

WASTE MANAGEMENT

Mr David Ramsay (Timiskaming-Cochrane): Mr Speaker, we were told the Minister of the Environment would be here by 2:15. I was just wondering if he has arrived yet.

The Speaker (Hon Gary Carr): Stop the clock for a quick moment. Chief government whip?

Hon Frank Klees (Minister without Portfolio): He won't be here, Speaker.

The Speaker: You can go to the acting Deputy Premier.

Mr Ramsay: Deputy Premier, as you know, yesterday Dr Murray McQuigge, the medical officer of health of Walkerton, basically said that Walkerton was a wake-up call with respect to the water that comes from the deep-drilled wells throughout Ontario, which supply the drinking water for many Ontarians.

As you probably know, in areas such as yours, and in mine in Timiskaming district, many of the towns and rural farms derive their water from deep-water wells—thousands of people in the Timiskaming district. But you're willing and allowing Toronto to dump 20 million tonnes of their garbage over the next 20 years in our biggest and deepest well, the Adams mine. This well sits upstream of all those deep-water wells feeding those towns and individuals on those farms.

Why, after this wake-up call and this warning and the tragedy of Walkerton, are you still allowing this to happen?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I think the member opposite knows that everyone in this House and all the people of Ontario share the concern to make sure our water is absolutely safe. As a result, when any proposal comes forward, especially one of this magnitude—as you've heard from the Minister of the Environment for the last couple of weeks when you've asked these questions, this process went through an environmental assessment in accordance with the Environmental Assessment Act.

The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection and containment system to ensure that groundwater contamination would be prevented. The hearings lasted six months and the board attached 26 conditions to the plan. A certificate of approval was issued after further technical analysis of the project, and the certificate carried 66 conditions. Also, eight independent peer reviews carefully analyzed the details of the plan and submitted their reviews. This also went through a judicial review, and as you know, it's before the city of Toronto as we speak.

Mr Ramsay: Minister, the actions of this government don't match your words. We're still being very cavalier with our water supply in this province. As you now have found out, Toronto city council voted this morning to send toxic ash from any future incinerator and put it in the Adams mine lake. Incineration, as you know, concentrates all the heavy metals and other toxins from household waste, thereby allowing a much greater quantity of poison to be mixed with our groundwater.

Minister, why is Toronto so confidently contracting to put toxic waste in the Adams mine when I believe the certificate of approval only allows for household waste to be put there? Or have you made some sort of side deal with Notre Development?

Hon Mr Hodgson: I'll bring that up with the Minister of the Environment, but I can assure you that the the government will make sure that the certificate of approval and the Environmental Assessment Act are complied with and fulfilled.

LONG-TERM CARE

Mr John Hastings (Etobicoke North): I have a question for the Minister of Health and Long-Term Care. In this century, Minister, we have the challenge of mak-

ing sure we have the best accommodation and service for long-term care for our seniors and for our most vulnerable, the disabled. I noted recently that the Ministry of Health and you announced a new initiative to fast-track and facilitate the requirements for long-term-care facilities across Ontario. I would like to know how this initiative is going to improve the state-of-the-art facilities of long-term care and how this initiative will ensure really effective quality of long-term care in Ontario.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member probably knows, in 1998 our government announced 20,000 new long-term-care beds to be constructed over the next six years. Those were the first long-term-care beds to be awarded in over 10 years. I'm very pleased to say that 14,500 of those are under construction and the last 5,500 to which the member refers are soon going to be awarded through an RFP process.

The new process will ensure that the beds are built two years ahead of schedule in that people will be required to have an option on land or to actually own land. They will also need to demonstrate that they have the financial resources and will be capable of undertaking that type of construction and having the project completed on time.

1420

Mr Hastings: My supplementary relates to the community care access centres which the minister has voiced some concern about recently. She has announced, I believe, a program review of these CCACs. What I would like know is, how does the program review in terms of overall objectives fit in, in a synergistically complementary way, with the announcement on the long-term care and, fundamentally, how does this government's position contrast with the so-called alleged interests—if they have positions—of the parties opposite, especially the “gliberals”?

Hon Mrs Witmer: I think it's very important to appreciate that the delivery of health services throughout Canada today, and probably throughout the world, is quite different than it was 10 years ago. In fact, today many of the health problems that patients face are dealt with through the long-term care system and are dealt with through the community care access centres. Of course, we also have our hospitals and our primary care networks. So it's very important that we have an integration of these services and that they be coordinated and that there be good communication.

I'm pleased to say that if we take a look at our community care access centres, which did increase the access to these services by creating one-stop shopping, we are doing a review to make sure that the services are provided in the very best way possible. We also want to identify the program's strengths and take a look at where there may be some opportunities for improvement.

COMPENSATION FOR VICTIMS OF CRIME

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Attorney General. In April 1999, a

madman with a gun walked into the OC Transpo warehouse and shot and killed four people. The people of Ottawa thought that it would be appropriate and only right that, in the circumstances, through their duly elected municipal representatives, they provide some compensation to the families of these victims and so asked that the municipal council provide each family with \$100,000 as compensation for being victims of this terrible crime. They thought it would be appropriate. They might need it to help them keep their houses or send the kids off to university.

Just recently, we have learned that the Mike Harris-appointed Ottawa Transition Board has reversed this decision. They called the Ottawa council decision a "gratuitous" decision. You tell us that you and your government are going to stand up for victims of crime. I'm asking you on behalf of those four families to, first of all, condemn the decision of the transition board and second, order that board to reverse their decision.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the leader of the official opposition for the question. The incidents to which he has referred were very serious tragic incidents in Ottawa and terrible consequences, of course, for the families of the victims. As you know, we've put victims first in Ontario. We introduced the bill just last week in the Legislature to statutorily create the Office for Victims of Crime. In the bill that my colleague the Chair of the Management Board introduced on red tape last week, there is an increase in the compensation available for victims of crime to raise the maximum to in excess of \$300,000, a change that has not been made, I might add, since 1986.

These are important initiatives. The Criminal Injuries Compensation Board is there to compensate victims of crime in Ontario and their families, as the Leader of the Opposition knows.

Mr McGuinty: Here is a very, very specific case. Let's remove ourselves from the abstract and focus on the specific. There are four families: the families of Harry Schoenmakers, Brian Guay, Clare Davidson and David Lemay. They were promised by the people of Ottawa through their duly elected municipal council that we would help them to the extent of \$100,000 to each family.

Do you know how the widow of David Lemay found out about your transition board's decision to reverse this? She heard it on the radio. They didn't have the decency and the courtesy to pick up the phone and notify these families that they were going to undercut the will of the people of Ottawa to help out genuine victims of crime.

You say you're for victims of crime. Here's an opportunity to prove it. Stand up now and tell us that you are going to order this transition board to reverse its decision, and you can describe them for all of us as being callous and cold-hearted.

Hon Mr Flaherty: As the Leader of the Opposition will know, his question is directed to municipal affairs.

Hon Tony Clement (Minister of Municipal Affairs and Housing): The honourable Leader of the Opposition

has displayed a considerable amount of emotion here this afternoon. It's an emotion that I think we share on both sides of the House, in terms of the victims and their families.

It is a fact that the city council made a motion. It is a fact that the transition board weighed in on this and came to a conclusion that was different from the city council's. It is a fact that we will have municipal elections across this province on November 13 and that the new city council will take its place on January 1, and I suspect this will be a continuing issue of local concern in the new city of Ottawa as well.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Bob Wood (London West): My question is for the Minister of Community and Social Services. It concerns Ontario government funding for programs for people with developmental disabilities. More is being done for these people than ever before in the history of our province, but there is much more that can and should be done so that these people can participate to the fullest possible extent in the life of our province. What does the minister see is the future direction of funding for these services: up, no change or down?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): All of us in this House recognize the tremendous challenges facing people in our community with developmental disabilities, even the problems within this sector, and there is a real recognition that we, collectively as a society, have a tremendously important responsibility to provide supports to those vulnerable people in our community.

In my judgment, the future direction for this sector will require additional funds. That's why this government committed \$35 million in new funding last year and a further increase of \$50 million this year.

We've got to address the challenges of aging parents, who need some confidence that there will be care for their loved ones when they are no longer able to provide it; more services for young people leaving our school system; indeed more employment supports to allow every person with a developmental disability to deal with the challenge of finding employment; and day programming and supports.

Mr Wood: I know those involved will find that answer to be very good news indeed.

The minister is aware of the southwest regional centre and some of the concerns that have been expressed about its future. What assurance can he give the centre's residents and their families that they will continue to receive the services they need and that the province will continue to fund them?

Hon Mr Baird: Obviously, we have a tremendous responsibility to individuals living in the three remaining institutions in Ontario. All three political parties, and indeed the last four or five governments, have strongly

supported community living. But to the member opposite who may have constituents with family members, loved ones and friends at the southwest regional centre, we will obviously take the time to consult and look at the future after the last community living initiative expired in March this year. Obviously we'll want to ensure that supports continue to be in place.

I did notice in the London Free Press this week that Murray Hamilton, the executive director of Community Living London, said, "More than 1,000 people have left facilities in southwestern Ontario in the last 20 years.... In my judgment they are all doing quite well. I think their quality of life has improved very significantly. They have more independence than they've had." Indeed, that's the standard to which we'll want to strive in any reforms in this sector to provide services for these vulnerable friends, citizens, neighbours and co-workers.

HOME CARE

Ms Frances Lankin (Beaches-East York): My question is to the Minister of Health. Minister, I want to ask you to put patients first and to end the competitive bidding process for homemaking services.

This is the latest example of how patient care is suffering under your failed scheme. I have recently learned that Sarnia-Lambton VON homemakers have been directed to deduct travel time from the time they spend with patients. Let me be clear about that. If it takes a half an hour to get from patient X to patient Y, they've been told to leave patient X's house 15 minutes early and to arrive at patient Y's house 15 minutes late. That means if a person is entitled to an hour of care, they're going to get 45 minutes. A real example: a homemaker who has to travel from Sarnia to Camlachie every morning to deal with helping in personal care support a teenage paraplegic get ready for the day has been instructed to take that half an hour it takes to drive from Sarnia to Camlachie off the time spent with that teenager. That teenager needs an hour to get ready to face the day. He is entitled to an hour of CCAC care funded by the government. He's getting a half an hour because the homemaker has to be covered for half an hour's travel.

You said competitive bidding would lead to innovation. Is this what you mean by innovation in health care?
1430

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The CCACs in the province of Ontario this year will be delivering care to approximately 420,000 people. I think it's important to understand that the money that is provided to the CCACs and the services they provide to the people in this province are totally funded by the province. We have certainly the most well funded system in all of Canada. It is the most generous home care system. In fact, we are one of only a few provinces that even makes this available. I can assure you that we are reviewing the system, but certainly it is a generous system.

We have recently added \$92 million to the system in order to expand the provision of services, and we will

continue to provide even more additional funding in the future.

Ms Lankin: Minister, this teenager, who happens to be a paraplegic and needs and is entitled to support, and is eligible for an hour's support, is getting half an hour under your competitive bidding scheme. Your competitive bidding scheme is driving down wages and it is driving down quality of care. Not-for-profits like the VON, like the SPRINT workers here in Toronto who are out on strike, the CCAC workers in Hamilton who are out on strike, are all underbidding to get their contracts in this new system of yours. Don't you understand that when they're up against a financial bind to deliver service, that money is coming out of the care for patients and it's coming out on the backs of workers?

This review that you've announced for competitive bidding is being exposed by everyone as a complete sham. It's closed door, it's backroom, it's between you and the service providers and the CCACs. Why don't you invite the SPRINT workers who are here today to the table to talk about this? Why don't you invite the CCAC workers in Hamilton, the VON workers in Sarnia? This crisis is spreading across the province. If you think your announcement about emergencies is going to solve the problem, you're going to have them stacked up like cord wood, because these people aren't going to be there in the community to deliver the service.

You don't need a review. You need to do the right thing: just put an end to competitive bidding in home care services.

Hon Mrs Witmer: I would just remind the member opposite that in this province we do have the most generous home care system. We are funding individuals to the tune of about \$128 per capita. Our service levels are as high or higher than any other province in Canada. In fact, six of 10 jurisdictions in Canada charge a co-payment for personal care and homemaking services. I'm also pleased to say that \$488 million will be going to community services this year.

Interruption.

The Speaker (Hon Gary Carr): Minister, take a seat. I'm afraid we'll have to ask our guest to leave.

I believe the Minister of Health had the floor.

Hon Mrs Witmer: Again, I would just like to indicate that in this province we have a home care service we can be very proud of. It is among the most generous; in fact, it is the most generous in all of Canada. It is totally funded by the government. I would just like to indicate that this past month we have added \$92.5 million to the community services that we've made available.

COMPENSATION FOR VICTIMS OF CRIME

Mr Dalton McGuinty (Leader of the Opposition): I want to return to the Attorney General, the self-proclaimed champion of victims' rights here in Ontario. Minister, there are four families in the Ottawa area who have a loved one who is not coming home. Their parents and loved ones were shot dead in April of last year.

These are truly, sincerely and genuinely victims of a terrible crime.

You tell us you stand up for victims of crime in Ontario. I'm asking you to do that right here and now. The people of Ottawa want to turn over some of their money. We're not even talking here about the province's money; we're talking about money that the people of Ottawa want to give to our victims of crime. I'm asking you, on behalf of those families, Minister, why won't you condemn the decision of the Mike Harris transition team, and why won't you order them to reverse their terrible, cold and callous decision?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): As I indicated in my previous answer, our concern for victims in Ontario is made plain by the fact that this is the government that first created an Office for Victims of Crime in Ontario, which we're now statutorily creating if the bill before the House passes. We have also moved forward with increasing the maximum monetary jurisdiction of the Criminal Injuries Compensation Board, which hasn't been done since 1986 under the Liberal government or under the NDP government from 1990 to 1995.

If the families to which the Leader of the Opposition refers have not applied to the Criminal Injuries Compensation Board, then I'd be pleased to inform them about the rights they have in that regard. If that's the member's information, I wish he'd tell me that.

Mr McGuinty: It's obvious that when the going gets tough, this minister is absolutely weak-kneed when it comes to standing up for victims of crime in Ontario.

I'm asking you, Minister, to have the intestinal fortitude to roundly criticize your transition team for reneging on a deal that was put together by the people of Ottawa. I'm asking you to stand up for victims of crime. Here is a real test of your commitment. You are all talk and no action when it comes to standing up for victims of crime. We in Ottawa decided that the right thing to do in the circumstances was to help these families by giving them each \$100,000. In the circumstances, it is nothing in the grand scheme of things, but it's the least we might do. Minister, I'm asking you to stand up for those victims, stand up to the transition board, roundly criticize them and order them to reverse their cold and callous decision.

Hon Mr Flaherty: I'm sure the Leader of the Opposition knows, since he's a lawyer, that the power to make that kind of order lies with the new city of Ottawa council, not with the province of Ontario. The member, being from Ottawa and being a lawyer, knows that.

Now, the Leader of the Opposition's information is that these families have not applied for or received the compensation to which they're likely entitled, through the government of Ontario, through the Criminal Injuries Compensation Board, which I think we all support as members in this House, then I'd appreciate if he'd pass that information on to me and I'll do everything we can to make sure the families access the funds to which they're likely entitled under the criminal injuries legislation in Ontario.

WATER AND SEWER INFRASTRUCTURE

Mr Ted Arnott (Waterloo-Wellington): My question is for my honourable friend the Minister of Municipal Affairs. I would expect that most members of this House would agree with me that all levels of government should be examining their policies and procedures which help to ensure that our drinking water is clean and safe and that we all have a stake in making certain that there is public confidence in our water supply.

In the wake of the Walkerton tragedy, this has been a challenge for all of us. My riding of Waterloo-Wellington is less than 33 kilometres from Walkerton and, as such, I share many of the views of my colleague the member for Bruce-Grey-Owen Sound that vigilant efforts are needed to, as much as humanly possible, make sure that this kind of catastrophe never happens again.

1440

There are many communities in Ontario, and indeed in Waterloo-Wellington, which lack the financial resources necessary to upgrade their sewer and water systems. The government recognized this reality in the summer with the announcement of the Ontario small town and rural development infrastructure program. Will the minister inform the House about this new initiative?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I would certainly thank the honourable member for Waterloo-Wellington for the question and say that of course it's our job as the provincial government to set the rules and to ensure that they are enforced. But it is the job of municipalities to deliver water and sewer services, to make sure that the facilities are up to standard and that the water in their communities is actually safe. Of course, it's everyone's responsibility to use our resources wisely and to conserve water when we can.

On August 8, I was pleased to participate, along with the Premier and Minister Newman, when our government announced Operation Clean Water. Under this program there is a new set of standards initiated to improve water quality and delivery across the province.

On August 10, I was pleased to announce that the province was committing \$240 million over the next two years through OSTAR, the Ontario small town and rural development initiative program, to help municipalities meet and comply with the new regulations under Operation Clean Water. Applications are out there. They were due October 6, and the municipalities have been very responsive to that initiative.

Mr Arnott: I want to thank the minister for his response and thank the Minister of the Environment for his support of this important program as well. However, it has been my contention for some time that a more significant investment is required in this area and that a minimum of \$500 million should be allocated for the purpose of helping small municipalities upgrade their sewer and water systems.

I have read published reports that the government is negotiating with the federal government to assist us in

this regard, largely based on the model of the joint federal-provincial-municipal infrastructure program of a few years ago. In this way, we could expect that our \$240-million provincial investment would be matched with an equal contribution from the federal government.

We know that considerable resources are needed. For example, in my riding the town of Minto alone is projecting a multi-million dollar price tag to comply with the new Ontario drinking water protection regulations.

Will the minister advise the House on the status of these negotiations with the federal government in light of today's published reports that the federal surplus may exceed \$121 billion over the next five years?

Hon Mr Clement: The honourable member is quite correct. Indeed, the Ontario government is fighting hard for Ontario communities to get their fair share of federal funding to match the province's OSTAR contribution.

The government has also asked the Ontario Super-Build board of directors to work with the ministries of environment, municipal affairs and housing, agriculture and rural affairs, northern development and mines, and other municipalities and public and private stakeholders to bring a long-term water and sewer investment and financing strategy.

We each have a role to play to ensure that we have reliable and safe infrastructure. We each need to show leadership, to set priorities, to be accountable for the decisions that we make. We all need to bring some new ideas to the table as we look for better, more efficient ways and safer ways to deliver our services. We each have our job to do, and if everybody does their job, we can meet this challenge head-on and indeed succeed.

TRANSIT SERVICES

Mr George Smitherman (Toronto Centre-Rose-dale): I have a question today for the Minister of Transportation, or, as he's increasingly known here in the GTA, the minister of gridlock.

Ontario Liberals believe the province of Ontario has a role to play in the development of an integrated transportation system for the GTA. In fact, Toronto is the only region in all of the industrialized world that receives no benefit from its senior level of government.

Recently, to try to address some of the problems with gridlock, GO Transit introduced an innovative bus service from Oakville to Markham. That service, Minister, as you well know, uses Highway 407. One of the impediments that our public transit system has encountered is a \$50,000 annual operating fee to use the 407.

Last week, the Greater Toronto Services Board transportation committee passed the following resolution, "The transportation committee recommends that the province of Ontario exempt GO Transit buses and all other public transportation vehicles from toll fees on all highways in the province of Ontario."

Minister, will you stop being an impediment to those who are struggling to reduce gridlock? Will you exempt the GO buses from fees on the 407?

Hon David Turnbull (Minister of Transportation):

It's an interesting discussion as to the fact that we don't fund transit. In point of fact, during local services realignment we reallocated funding. We uploaded to the province half of the cost of residential taxes for education. That created \$2.5 billion worth of tax room for the municipalities. One of the specific areas that was to be a responsibility of the municipalities was transit. If municipalities want to renegotiate this deal, we have said we're prepared to talk, but it has to be a revenue-neutral transaction. To date, since we've signalled that, there isn't a single municipality that has come back to us and suggested how they would square that equation.

Mr Smitherman: We've heard this answer from this one-trick pony before. I'm going to go back to the Minister of Transportation and I'm going to give him a chance to focus on the question at hand. The question at hand is with respect to Highway 407 and the costs that were incurred there. Was there any attempt on the part of your ministry to defend the interests of public transit users in the greater Toronto area, who are struggling against all odds and against your government to unlock the problem with gridlock? Mr Minister, will you review the situation that sees GO Transit paying exorbitant fees to use highway 407 as they attempt to give better service to 905 residents? Will you review this, and will you commit to exempting public transit users on the 407 from these fees?

Hon Mr Turnbull: The 407 is a privately owned road. They have a 99-year operating lease. In fact, we have reserved for the province the right to put transitway in at a later date. With respect to municipal transit buses electing to use the 407, that's a decision of the operating organizations that you're speaking about. We have no ability to direct the private operator of that road, who is spending half a billion dollars in expanding that road at no cost to the taxpayer. We sold the highway at considerable profit to all of the taxpayers of this province.

GOOD NEIGHBOURS PROGRAM

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

My question is for the Minister of Citizenship, Culture and Recreation. Neighbours helping neighbours is the hallmark of a strong community. In my own riding this Friday, I will be proudly honouring some unsung heroes nominated by their neighbours. They volunteered at food banks, initiated an adopt-a-grandparent program in elementary and secondary schools and developed a buddy system for seniors. What is the government doing to encourage individual Ontarians to reach out and help others in their communities?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member for Barrie-Simcoe-Bradford for the question. Let me say that this week, October 9 to October 15, is Good Neighbours Week in the province. During this week, we're celebrating all of the good deeds and generosity that Ontarians

show to one another, the helping hands that they give one another.

Let me say that this is the 10th year of the Good Neighbours awards, the Good Neighbours celebrations in Ontario. The program encourages people to lend a hand to their neighbours, to their communities, to people who are vulnerable, who may have disabilities, who have illnesses and who need help in their communities.

As of today, we have 32 active Good Neighbours councils in our communities. We have 26 community councils under development. I'm proud to say that seven new councils have been formed in northern Ontario.

1450

Mr Tascona: Government, business and individual Ontarians share in the responsibility to make Ontario's communities safe places to live, work and raise a family. How is the government working in partnership with other sectors to encourage Good Neighbours?

Hon Mrs Johns: Let me say that working in partnership is the short answer to that. The Ministry of Citizenship, Culture and Recreation works closely with the Good Neighbours Trust and the Good Neighbours council to encourage Good Neighbours communities. The Good Neighbours Trust is a group of private and non-profit organizations, including the Royal Bank of Canada and Enbridge Consumers Gas. They focus on fundraising for this program. The trust has generated more than \$250,000 in cash and in-kind services to help Good Neighbours communities all across this wonderful province.

Ontario's quality of life is rooted in our ability to care for one another, to be kind to one another. I believe that the Good Neighbours program and the Good Neighbours Trust and our corporate partners ensure that this happens—that we have safe communities, that we have communities that involve volunteers, that we encourage local initiatives and we strengthen our communities. Good Neighbours—please celebrate this week.

AIR AMBULANCE SERVICE

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Health, and it's regarding her complete mismanagement of air ambulance contracts. On September 13, your government announced it was going to privatize critical-care paramedics. On September 20, your government issued notices to all 35 paramedics that they had five days to decide if they would continue to work for a private operator, even though they don't know who that will be, or take a severance package and leave the public service altogether. All 35 decided to leave the public service.

At the same time that this was happening, Mr Derek Tupling, who is on your political staff, was saying the following: that the government will be asking for bids from the private sector over the next few weeks but it may also decide to maintain the current system.

Minister, you gave people five days to decide what to do, and they have left the public service. As a result, we

have lost the skills of 35 highly qualified advance-care paramedics. How can you possibly justify how this has been so completely mismanaged?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I think it's important to put this into perspective, and the perspective is that air ambulances and ambulances in this province have been owned and operated by private companies since the 1970s. I think it's also important to note that if we take a look at air ambulances today, 70% of all the staff presently are already employed by private operators.

So what the ministry is doing right now is taking a look at that part of the air ambulance system that involves the critical-care transport staffing. I do want to stress that no decisions have been made concerning this matter. The RFPs will require bidders to submit two proposals: one for provision of pilots, aircraft and maintenance only; and the other for pilots, aircraft and maintenance plus critical-care transport staff.

The current contract with the providers of critical-care transport, rotary-wing and fixed-wing air ambulances ends on September 30, 2001. The objective of the RFPs is to establish the highest quality, best price.

The Speaker (Hon Gary Carr): Supplementary.

Mr Gilles Bisson (Timmins-James Bay): Minister, you talk about trying to put things into perspective. The reality is that air paramedics have been, for the duration of these contracts, public sector employees. You have taken the entire air paramedic system and put it completely into chaos. You went to them and said, "You have five days by which to accept either a severance package or take your chances that we will not privatize the air paramedics." They took you at your word. They've accepted, all 35 of them, that severance package, and now, as a result, we're losing all 35 highly skilled, highly devoted and motivated air paramedics. You are creating a crisis. We want to know from you simply, how can you justify your mismanagement of what is a quality air paramedic system in this province?

Hon Mrs Witmer: I don't think the member opposite heard the original comment, which was to indicate that at the present time 70% of the staff that are employed by the air ambulance system are already part of the private system and they are employed by private operators. We are issuing two RFPs, and we are following through, as required under the contract.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature, and it concerns northerners demanding the Harris government eliminate the health care apartheid it is presently practising.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents

per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation; and

"Whereas a cancer tumour knows no health travel policy or geographic location; and

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding; and

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

Of course, I proudly affix my signature to this petition.

INVESTIGATION INTO CHILD ABUSE

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I have a petition to the Legislative Assembly of Ontario.

"Whereas Garry Guzzo, MPP, Ottawa West-Nepean, has brought forward Bill 103, 2000, An Act to establish a commission of inquiry to inquire into the investigations by police forces for sexual abuse against minors in the Cornwall area; and

"Whereas Bill 103, 2000, has the public support of John Cleary, member for Stormont-Dundas-Charlottenburgh,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000."

I have also signed that petition.

The Deputy Speaker (Mr Bert Johnson): I have some people standing between me and the people I want to recognize and I won't have it. I can't have you standing between me and somebody who's going to speak.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners

who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and to eliminate the health care apartheid which exists presently in the province of Ontario."

This petition is signed by many residents from my riding. I agree with them and I'd like to thank Gerry Lougheed Jr for all his work on this issue.

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the cost associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This is signed by dozens more of my concerned constituents and I affix my signature in full agreement with their concerns.

1500

EDUCATION REFORM

Mr Tony Ruprecht (Davenport): Thank you very much for permitting me to read this petition. It is addressed to the Minister of Education and Training. This is probably wrong, but I have to read this into the record because it was given to me.

"We believe that the heart of education in our province is the relationship between student and teacher and that this human and relational dimension should be maintained and extended in any proposed reform. As Minister of Education you should know how strongly we oppose many of the secondary school reform recommendations being proposed by your ministry and by your government.

"We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by your ministry, however, is substantially flawed in several key areas: (a) reduced instructional time, (b) reduction of instruction in English, (c) reduction of quality teaching personnel, (d) academic work experience credit not linked to education curriculum, and (e) devaluation of formal education.

"We therefore strongly urge your ministry to delay the implementation of secondary school reform so that all interested stakeholders—parents, students, school councils, trustees and teachers—are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided."

Since I agree with this petition, I'm delighted to sign my name to it.

KARLA HOMOLKA

Mr John O'Toole (Durham): It's my pleasure to present a petition to the Legislative Assembly of Ontario.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka, resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to a pass to leave prison"—I might say for the record here that it's actually out west now—"with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that truly reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

This was brought forward by Marilyn Mushinski, the MPP for Scarborough Centre. I commend her for her work.

NORTHERN HEALTH TRAVEL GRANT

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the member for the new GM V-6 engine plant, the member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you very much for mentioning that, Mr Speaker. It's very kind of you and very good news for the residents of St Catharines today.

This is a petition to the Ontario Legislature.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature as I am in complete agreement.

The Deputy Speaker: Further petitions? The Chair recognizes the member for Durham.

Mr John O'Toole (Durham): You've recognized the wrong person.

Mr Bradley: Mr Speaker: This is a point of order on a petition. I heard a petition the member for Durham was reading, and I wondered if he had seen this headline, which no doubt you have seen, that says, "Tories Stand by Deal with the Devil." I just wondered if you had seen this and if the member had seen this.

The Deputy Speaker: That is not a point of order. Further petitions?

Mr David Caplan (Don Valley East): I have a petition to the Legislative Assembly of Ontario and I'd like to read it in the House today.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates," in essence, "a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities" in the north.

This is a very important petition, one that has taken up much of the time of the Legislature in questions of the ministers. I wholeheartedly agree with it and I will affix my signature to this petition.

ORDERS OF THE DAY

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Mr Wood, on behalf of Mr Hodgson, moved second reading of the following bill:

Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts /
Projet de loi 119, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.

Mr Bob Wood (London West): I'll be sharing my time with the members for Scarborough Centre, Guelph-Wellington and Northumberland.

What is red tape? The Pythagorean theorem revolutionized geometry, and it's 26 words long. The Gettysburg address, in which Abraham Lincoln effectively ended slavery and transformed a nation, is 286 words long. That's not red tape. The United States Department of Agriculture regulation on how to provide a safe cabbage is 26,911 words long. That's red tape. How do you take 26,911 words to make sure people get a safe cabbage?

As a lawyer coming from a profession with some 10,000 years of experience in creating and maintaining red tape, I can explain. You ask for information not needed to provide a safe cabbage. You use 10 words when one will do. You make people do things that have nothing to do with a safe cabbage. You make the wording complicated. You repeat, repeat and repeat again.

What's the net result of red tape? Well, in France it effectively takes six weeks to incorporate a simple company. In Ontario it takes one to two days.

1510

Our definition of red tape is any process or procedure we put you through as a citizen, as a business, or put one of our public servants through, that is not absolutely required to achieve an identified public objective. That's red tape. It does not in any way weaken health, safety or environmental protections. Our goal is to eliminate everything but the absolutely essential and to make Ontario the best jurisdiction in the world for regulatory excellence. It's a difficult, time-consuming, challenging and exciting job, and it's also absolutely essential to good service for our citizens and economic growth for the province. Even our friends in France—the socialist government of France has established a red tape commission.

Since the founding of our commission in 1995, it has helped some 170 people and businesses with individual red tape problems. It has undertaken extensive consultation on red tape issues and co-ordinated the preparation and passage of 13 red tape reduction laws. It has helped to revoke 1,300 outdated regulations and helped improve many regulatory processes.

How are we going to continue this work? We're going to do it by continuing our Ombudsman function. As the House knows, when we receive a complaint, we have our civil servants deal with the civil servants in the ministry involved. If that doesn't achieve a satisfactory resolution, the commission deals with the minister's office and, if necessary, the minister directly. If that fails, we seek guidance from our boss, who is of course the Premier of Ontario.

I would like to invite everyone in the House today, or everyone who is not here but a member of the House, and every citizen of this province to let us help you where you see a red tape problem. We're also looking to get as many new red-tape-cutting ideas as possible and implement them. We need ideas from citizens, we need them

from business, we need them from other jurisdictions and we need them from our own public service.

We are working, as you may be aware, to develop a business impact test to find out what regulations cost the government and hopefully what they cost businesses and the public as well. We are hopeful of having at least one, and hopefully two, red tape bills each year in the Legislature in order to cut red tape. The bill before you today is of course one of those bills.

We also, by the way, want to make sure that our government forms and form systems are 21st-century-friendly: the clearest, simplest and most efficient possible. To that end, we have a subcommittee of the commission working with some of the bureaucrats at Management Board who are tasked with actually making this happen. They are going to work very closely with the ServiceOntario and Ontario Business Connects projects in the Ministry of Consumer and Commercial Relations in order to achieve far better service and far faster service for the people of this province.

One example, by the way, of what can be achieved in terms of better service has already happened in my county of Middlesex, which is the first place in the world to achieve full electronic land registration. That system gives us a working model of what can be achieved by processing information electronically. Not only is it providing everything we expected in terms of faster service and less cost for those operating the system and for those using the system, it also is generating some side benefits, such as even the lawyers cutting out some of the paperwork to get the job done.

This bill offers the latest legislative proposals we've received to cut red tape in some 15 ministries. If passed, it would remove two unused acts from the books and streamline 75 acts to provide improved customer service and more efficient government.

Some examples of what this bill does are:

It eliminates the requirement to apply for a change of name within 90 days of marriage.

It protects consumers by prohibiting the charging of significant upfront fees by credit repair companies for services that consumers can do for themselves at little or no cost.

It provides insurance benefits to volunteer auxiliary police officers if they are injured while providing service.

It enhances the Niagara Escarpment Commission's ability to issue stop-work orders regarding unapproved developments.

Red tape reduction is about making it easier, faster and less expensive for both business and the public when dealing with government; encouraging investment in Ontario by breaking down barriers to conduct and manage business; simplifying processes to reduce overlap with other legislation and improving overall efficiency and customer service; and finally, harmonizing and modernizing legislation among ministries.

Cutting red tape is essential to giving better service to our citizens and attracting investment and jobs to Ontario. I urge all members to support this bill.

Ms Marilyn Mushinski (Scarborough Centre): It gives me great pleasure to rise in this House today in support of continued red tape reduction. I'm very pleased to be speaking on the Red Tape Reduction Act, 2000, introduced by my colleague, Minister Chris Hodgson, just one week ago on October 4.

Since that time, I have had the opportunity to review this act, and I can honestly say that I believe it is one of the finest pieces of legislation I have had the pleasure to support in this House in the past five years.

We all know that the battle to eliminate red tape continues. We know that this act and its predecessors and other acts to follow will eliminate the red tape that has been building up in this province for over 100 years. We made some commitments going into the election in 1995, and again in 1999, that we are determined to make Ontario one of the best jurisdictions for regulatory excellence in the world.

This particular bill contains a number of minor technical and administrative amendments that will vastly improve customer service and government efficiency by improving standards and providing greater protection to consumers and other individuals.

For example, changes to the Consumer Reporting Act will improve protection for consumers from credit repair agencies who try to charge up front for fixing a credit rating but don't deliver on that promise.

Some proposals strengthen environmental protection, something that I know we all desire in this House.

Another example: the bill contains new legislation, and that's the Environmental Review Tribunal Act. This new legislation formalizes the 1997 merger of the former Environmental Assessment Board and the former Environmental Appeal Board.

Now, it shouldn't surprise you that all of this red tape that has been created over the years was largely created by the two previous governments to the point that they created all of these, some would say duplicitous as well as duplicate, agencies, which not only tripled red tape but contributed to the substantial deficit we inherited, to the tune of \$11.8 billion in 1995.

Under this new red tape reduction legislation, the boards can now share a physical location and they can share staff, resources and members as well. There has been no substantial change to the procedures of the previous boards, but what has changed is that the process has become much simpler.

Additionally, the Ministry of Natural Resources has a number of positive proposals, including changes to the Forestry Act that provide greater flexibility to respond to pest outbreaks, something that I know we on this side of the House have been looking for for a long, long time.

1520

The goal of all these red tape reduction bills is to really streamline administration so business can meet standards and spend less time jumping through administrative hoops. Business can concentrate on what to do best: fuelling the economy and creating jobs. Businesses can get started, create more jobs and operate successfully in Ontario without having to worry about excessive red

tape. Business and the public will find that it is easier, cheaper and faster to deal with government when troublesome red tape is eliminated or reduced.

Investment in Ontario will be encouraged when barriers to establishing, conducting and managing businesses are eliminated or reduced. Harmonized and modernized legislation will be created among ministries. Overlapping legislation will be reduced, and overall efficiency and customer service will improve in government.

This bill represents the cumulative effort of 15 ministries that have identified red tape within their policies and programs or have had problems identified by their stakeholders. I am particularly proud of the achievements of the Red Tape Commission, headed by the great member for London West, a good colleague. I was very pleased when the Premier appointed me to this commission in the summer of this year. I can attest to the magnificent leadership of my colleague the member for London West.

We have passed 12 red tape reduction bills since 1995. They have eliminated 33 outdated acts and amended more than 200 others.

Here are a few more of our achievements.

In 1997, the Red Tape Commission produced a report with 132 recommendations to eliminate red tape, based on consultations with business, institutions and individuals. The Red Tape Commission developed a regulatory impact and competitiveness test approved and used by cabinet to prevent the creeping introduction of new red tape. The Red Tape Commission coordinated the introduction and passage of 12 red tape reduction bills: 33 acts have been repealed and more than 200 acts amended. The commission coordinated the spring 2000 red tape reduction bill that contained an additional 300 amendments.

The commission has worked with ministries to revoke more than 1,300 regulations and has intervened on behalf of more than 150 businesses and individuals regarding specific red tape problems with ministries and agencies. In 1999 the Red Tape commission submitted the Unfinished Business report to Premier, containing yet another 40 recommendations to reduce red tape.

In the Ministry of Northern Development and Mines, under the Mining Act, this amendment gives the Minister of Northern Development and Mines the authority to approve a refund due to an administrative or rounding error. The approval of the Lieutenant Governor in Council will no longer be required. This will mean faster processing of refunds, something that is a completely foreign notion to the previous two governments.

There is a bunch of other stuff that I could say about good government and common sense, because that is what red tape reduction is all about.

For instance, in the Ministry of the Environment, we have the Environmental Review Tribunal Act, which I have already spoken about, which consolidates and eliminates administrative overlap and duplication.

In the Ministry of Natural Resources, there's the Conservation Land Act, where the Ministry of Natural

Resources is facilitating the conservation of Canada's natural heritage by expanding a mechanism by which US residents can make gifts of land in Ontario while both deriving the associated tax benefits against their US income and avoiding the disincentive of incurring capital gains tax in Canada.

Under the Ministry of Health and Long-Term Care, the ministry is cleaning up its legislative framework by removing references to health insurance premiums which have not existed since the creation of the employer health tax.

Responding to the needs of Ontarians, the Attorney General, through the Execution Act, is actually increasing the amount of a debtor's assets that are exempt from seizure in order to allow them to retain a subsistence living and not be thrown onto the welfare rolls. The value of the exemptions is now less than 20% of what they were when the act was passed in 1965. Trustees in bankruptcy are required to seize from bankrupts everything that the Execution Act allows to be seized on a judgment. As a result, judgment debtors and bankrupts have been forced on to social assistance despite the policy of the statute to allow them enough to support themselves.

I could go on for a while highlighting the substantial benefits that this government has made in reducing red tape and helping not just the customers and the consumers and the taxpayers of this province, but of course businesses as well, which we know are the backbone to the economy of this country.

I will without further ado pass over to the member for Northumberland, who I know is going to tell us more about the great initiatives of the red tape bill.

Mr Doug Galt (Northumberland): I appreciate being able to follow my good friend from Scarborough Centre and her excellent presentation, and the member for London West and his excellent presentation, on red tape.

Certainly this has been an area of great concern to our government. You may recall that back in the spring of 1995 we were very committed to eliminating red tape, and there's no question that a considerable amount has been reduced during the last five years.

One of the biggest areas that I see, and it's very harmful to our economy, is the hidden tax that red tape creates, a horrendous tax on our businesses, on our society, on people in our community, on volunteers. It's the kind of tax that we generally are unaware of unless we have a look at something like red tape and the red tape bill and have a look at what it's really costing us on a day-to-day basis.

There is no question that genuine, quality regulations are needed. They are needed there to protect the public, to protect their interests, whether it be for the environment—as the Minister of the Environment has recently come in with more regulations to protect drinking water even though the regulations we already had, if followed, would have protected the drinking water in this province—or regulations that protect health and safety. Certainly we are very concerned about the safety of workers in the workplace, and of course labour practices.

Many of these regulations are very admirable in their intent, but as I mentioned a little earlier, often it is a form of taxation that is imposed as an undue burden on the ability of business to operate efficiently.

1530

I remember, during the campaign in 1995, being at an all-candidates session when the Liberal, who was actually a sitting member at the time, made the comment that her government would get rid of 50% of the red tape. Fifty percent is totally unsatisfactory. If businesses and people are going to prosper in this province, we have to get rid of all the red tape that's out there. My definition of red tape is useless, unnecessary regulations that create things like an extra tax, which some might call a hidden tax. There is no question that overregulation impedes economic growth by forcing firms to spend their time doing what the government tells them, rather than actually being able to run their businesses. It's been calculated that our small businesses, typically referred to as mom-and-pop operations, have to spend six hours a week just looking after government regulations and filling out the forms that are necessary to go along with those regulations.

There has also been a study by the Conference Board of Canada. Based on the year 1994, they calculated that in this great country of ours it was costing some \$85 billion just to meet compliance costs—\$85 billion, just a horrendous amount. I hear some in the opposition saying, "Business can afford this. Business can afford that." When you start adding up some \$85 billion, guess who really ends up paying for it? Yes, they may be making the widgets, but you and I end up buying those widgets, and somebody has to pay that hidden tax, that cost.

We have laws that restrict us in everything from buying beer—where and how we may purchase it—to the length of a wooden ladder. It was all understandable, particularly in the day it came in. I wonder how many wooden ladders are still being made today. Certainly there is a tremendously different attitude to the purchase of beer than there was four or five decades ago.

Since 1997, there has been a remarkable increase in the number of regulations we have in this great country of Canada. But as those regulations have increased, across Canada a very sharp decline in productivity has been experienced. This in turn has led to slower real income growth, which has resulted in huge losses to the economy in Canada and particularly in Ontario.

Other studies have suggested that some 12%, and even 30%, of the productivity slowdown can be blamed on excessive government regulation. I was really pleased yesterday to be able to join the debate on Bill 88, on e-commerce, on how our government is moving with the times to ensure that documents sent by e-mail and fax can be recognized as having an official signature and do not necessarily need to have the paper to accompany them.

The costs of regulations are sometimes greater than the benefits they create. When that starts to occur, it impedes economic growth and fails to meet the object-

ives that were set out in the first place. Needless to say, these costs are inevitably paid by the taxpayer at both the personal and the corporate levels. Professor Wiedenbaum, at the Center for the Study of American Business, concluded in a study he carried out that every dollar spent on regulations by the government costs private firms some \$20 in compliance costs: 20 times as much is being paid by companies just to match one dollar spent by government to develop the regulations. That is indeed a very hefty tax that is well concealed and well hidden.

In Ontario, the regulatory burden grew by leaps and bounds under the two previous governments. During that lost decade from 1985 to 1995, a tremendous number of new regulations appeared on the books. They were running at something like 1,000 new regulations every year, and of course no regulations were being taken off. This bill is really about getting rid of some of these regulations and getting rid of some of the acts that are no longer applicable. The longer they sit on the books and confuse lawyers as they study them and look at them, the more it costs private citizens and corporations here in the province.

We heard a lot of, "It wasn't our fault, the recessionary woes of the early 1990s," but I don't think there's any question that those regulations being laid out back in the late 1980s and into the early 1990s had a lot to do with the recession that occurred, a very serious recession. Many economists would say it was the most serious recession since the Depression back in the early 1930s. I well remember my parents describing to me the situation that Canada, particularly Ontario, was in back in the so-called Dirty Thirties. The kind of recession we were put through approached that kind of circumstance, and certainly regulations had a lot to do with that.

We look at the cousins of the Ontario NDP out on the Canadian left coast, and they couldn't even begin to compete with the number of regulations that the NDP government in Ontario brought in. They've been introducing some 500 a year, and just have a look at how their economy is doing: it's not. It's been a bit of a disaster out there. They started going downhill long before the Asian flu came along. You would ask why, when the American economy is booming. Just across the border from them, in states like Wyoming and Iowa, their unemployment is sitting at 2% or slightly under; to get under 2% I'm told is almost impossible. When I was in BC a year or two ago, people were leaving by the hundreds and moving to prosperous provinces like Alberta. That didn't happen just because of their oil; it happened because of sound economic policies that had been carried out in that province. A lot of people from BC, fed up with red tape and overregulation and over-taxation, ended up moving to Alberta and many other places in Canada. You can also identify right here in Ontario where people from BC have moved because of the kind of government they have on the Canadian left coast.

When you add the cost of the regulatory burden, the hidden tax, to the actual tax burden, you can see that Canada's economy has languished in the doldrums for so

long. It's totally unacceptable, and it's great to see this bill and to see that something is being done about it.

I'd like to share with you some of the ridiculous laws in the US as well as here in Ontario that we've been suffering from. One, I believe, comes from Utah. There's a law there that prohibits people from cleaning their donkeys in a bathtub. I can't imagine why, in the first place, anybody would want to clean their donkey in a bathtub. Consequently, why would you have a regulation that prevents people from doing it? It sounds like something the Liberals would want to bring in, and I'm sure if they formed the government they just might want to do that. In another US state, I believe California, people need to have a hunting licence to set a mousetrap. Now, I can understand that maybe the NDP might bring something like that into Ontario.

What we did have here in Ontario for a long time was that it was illegal to drink beer while sitting on your porch. If you wanted to drink beer outside you had to set a tent up, which was considered your temporary housing. We have moved a long way along and that has changed. At one time there was a requirement of a tavern to have a solid door and to have frosted windows and curtains so as not to allow children to see inside and become corrupted by the sight of people imbibing the demon rum. By today's standard we might think that's pretty silly. As cultures change and societies move along, it's important—maybe those regulations had meaning once upon a time, but today they don't, and those kind of regulations need to be changed.

1540

When we took office, I found it quite surprising. This party over here that talks so much about the environment and carries on, with members today yelling and screaming across the House over how important the environment is—the regulation we found they were still supporting was that it was illegal to recycle a pesticide container. It was legal to bury it. Now, this is a contaminated pesticide container. They allowed to go for five years that you could bury a pesticide container, but they made it illegal to recycle one.

We've been promoting recycling, the three Rs, literally since the beginning of time.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): We're a green government.

Mr Galt: As the member said, we're a green party. I don't think there's any question. Look at the environmental changes, the kind of changes we've made: a change in penalties, supporting the environment. It indeed is a very green party.

It was also interesting to note on the books after this party left after their five years, and of course the Liberals, when they thought they were such environmentalists, that if you released chlorinated drinking water, it had to be cleaned up as a hazardous substance. This is perfect drinking water, considered as a hazardous substance and had to be cleaned up as such.

Those were the kinds of regulations that were on the books when we took office. Certainly they were totally disgusting.

Some of the things we're removing I'd just like to make a little reference to in the next five minutes. One has to do with the Hunter Damage Compensation Act. This act was brought in back in 1979, a little-used act. For the last two years, there was only one inquiry on this particular act. To add to it, here's an example of duplication. Already, insurance policies that insure livestock cover hunter compensation, and then so does the government, so if the government pays for it, the insurance company doesn't. I think the most ever paid was in the neighbourhood of \$7,000 or \$8,000 for something like 10 to 15 animals. Obviously, even at its peak, this compensation was minimal, costing far more to distribute and deal with than the real loss in itself. Plus, it was being covered by the insurance policies, which it makes so much sense to me would continue.

I wanted to also make reference to the change in the Dog Owners' Liability Act and the requirement that owners have to properly restrain their dog. One of the amendments in this red tape bill will require owners to take responsible precautions to prevent their dog from biting or attacking a person or another domestic animal. It will add new penalties that will deter irresponsible dog ownership. Certainly this is something I've supported for some time. We have too many irresponsible dog owners in the province. A very large portion are responsible, but some are not. Failure to take adequate precautions could result in fines of up to \$5,000.

This act will also allow the courts to order that a dog be confined or restrained by a leash or muzzle until it is determined that the animal is indeed dangerous. Often, as I'm sure you're quite aware, Mr Speaker, living in the country, if animals are abused, they'll sometimes become violent. This is a natural reaction out of self-preservation.

For this reason and for other reasons, the minister has already specified that the act will authorize the court to prohibit a dog owner found liable under the legislation from owning another dog for a specified period of time. It will provide an automatic restraint order when a dog is order destroyed.

I believe this part of the red tape act will bring about a quick resolution when community members feel they have need to worry about a particular animal in their community. It will also provide authorities with better tools to help them in their job of protecting the public.

Also in this particular bill is compensation for victims of crime. There are changes in the Red Tape Reduction Act on that. This will bring about a high level of improvement in the level of service and funding available to victims.

This Red Tape Reduction Act will bring a serious increase in the amount of money that victims receive. In 1986, victims could receive a maximum amount of \$250,000 in compensation. Taking inflation into account, this government has raised that ceiling to some \$365,000. Victims will now receive payments for a longer period of

time, payments that will take annual rates of inflation into account. Part of this red tape bill will extend the application period of the Criminal Injuries Compensation Board benefits from one year to two years. This is in response to the fact that the CICB currently receives some 1,500 requests per year to extend the application time.

All in all, I can see that this red tape bill is going to do a lot for the economy in Ontario. It will help to create more jobs. The two previous members walked through many aspects of this bill, affecting a dozen different ministries, I believe, everything from improving customer service to providing good government and common sense. I'm sure you will recall that when we campaigned in 1995 our platform was the Common Sense Revolution. It's one where the government delivers on its promises: promises made, promises kept. That is the hallmark of this government.

In conclusion, poverty rates, after-tax family incomes, real consumption and real wealth have stalled over the past two decades. I believe that's because progress is not automatic. It doesn't just happen. For too long, government has stood as a roadblock to business and investment instead of a helpmate. There's no question that government should be there as a helpmate, to assist people and corporations and businesses to get along and create jobs in Ontario. Governments have a regulatory responsibility, and that indeed is without question, but they also, as government, have a role to play in creating an environment that is welcoming to business. We went for a whole decade, from 1985 to 1995, and it was not "welcome to business" here in Ontario. I remember back in the late 1980s when they brought in the employer health tax. Small business just went berserk over that, having to keep the records for it. The Liberals should be very ashamed for bringing that in, going below \$400,000 of payroll and really putting a burden on small business, mom-and-pop operations that had to run another set of forms. Our government got rid of that, and it has certainly helped a tremendous number of small businesses here in Ontario.

We have a responsibility as government to create an environment that's welcoming to business—I got a little sidetracked there a moment ago—and also to provide the freedom to enter into any business without penalty or undue restrictions and to compete freely for customers. Without these freedoms, there is simply no incentive for people to take risks, to innovate, to invest and work long hours. Small business is based on working long hours. I hear the opposition screaming about a 60-hour workweek. I'm sure an awful lot of people in small business would think they were on holiday if they had a chance to work a 60-hour workweek. The member for Guelph-Wellington used to be in small business, in the environmental business, and I'm sure she worked a lot more than 60 hours a week.

For those who believe in freedom as a basic human right, reducing unnecessary regulations and red tape is indeed essential. That's what this bill is all about, that's

what this government is all about and, quite frankly, that's what democracy is all about.

Now I'm very pleased to let my seatmate complete the hour, the member for Guelph-Wellington.

1550

Mrs Brenda Elliott (Guelph-Wellington): I would like to extend my thanks to my colleague, who actually was kind enough to take my place for a few moments and trade places in the speaking order, since I was involved in another meeting. He's a very thoughtful and considerate member and I appreciate it. Thanks so much.

I'm very pleased to add my voice in support of this particular bill. As my colleague mentioned, I come from a background of small business. I'm used to working very long hours. When I look at the red tape bills, I look at them from a point of view of customer service, because that's so essential in anything we do in business here in Ontario. That really means, when you're in business, that you must find ways to be responsive to those who are going to use your services, or you won't be in business for very long. It means looking for new and better ways of providing that service. In government, we can act no differently.

For too long here in Ontario we have allowed the practices of government to stagnate. The best practices of 15 or 20 years ago are no longer the best practices of today's business. Government tends to become very bureaucratic and that tendency must be overridden if you are going to find ways to provide effective and responsive customer service.

When the people of Ontario call the government, they are looking for help and for answers. They are not looking to be on hold, they are not appreciating bureaucratic runaround and they want action once the connection is made. For too long, government has ignored valuable lessons we could have learned from the private sector. While businesses around Ontario were re-evaluating, re-assessing and reworking their customer relations, government stood idly by as its relations with customers, who are the real people, went from being out of date in some cases to being anachronistic.

That isn't surprising because in many cases it takes work to improve government relations and customer relations. It takes new laws to change and eliminate red tape. Changing law in this House requires three readings, opposition theatrics and naysaying that goes along with debate in this House. For some governments, all that work simply wasn't worth the trouble. But as my colleague mentioned, in two elections we've come to understand that the people of Ontario expect and deserve good government, responsive government, and the work that's required to make changes in our laws to be more responsive and customer-friendly is certainly something the members of the Mike Harris government feel is worthwhile.

In 1995, we went to the people with a promise to reduce red tape. We knew that their own experiences with government told them that there was excessive bureaucracy and they had responded to our request to

make changes by supporting us in government. We have kept, yet and again, another promise.

We introduced and implemented a series of red tape reduction acts. In our first three red tape reduction bills, we repealed 28 acts and amended about 150 others. In all, we have revoked 1,300 antiquated and redundant regulations. We have managed, for instance, to eliminate more than 1,000 licences, permits and reports required of food-processing and farm businesses. We've cut the wait for registering a small business from six weeks to less than 20 minutes. But most importantly, we are reducing the frustrations of ordinary Ontarians as they deal with their government.

Speaker, like your colleagues in your constituency office, my girls in Guelph—Valerie, Lynda, Karen and Eleanor—receive calls all the time from people looking for help. We're the provincial member's office, but also calls are made to my counterpart in federal government—also named Brenda, so that makes our constituents even more confused—and city clerks looking for help. We are very pleased to do that. Quite often, we recognize that people have phoned the wrong place and we direct them to the appropriate government agency or level to get assistance.

My constituents, when they call the office, simply want help. They know the problem is related to something with government, but they want assistance; they want accurate, timely and effective results. We are, through red tape legislation, making Ontario's laws and procedures more responsive and more customer-friendly.

The Red Tape Reduction Act, if passed, will make a further 242 amendments to 75 statutes, repeal three acts and create two new acts as we continue to work to meet our commitment to reduce job-killing red tape. That's exactly what red tape does.

It will, for instance, amend the Mining Act to give the Minister of Northern Development and Mines the authority to approve a refund due to administrative or a rounding error. Today, cabinet must give such approval. That's a waste of effort and time. The bill will amend the Health Insurance Act to remove references to health insurance premiums that don't even exist any more.

It also updates the Execution Act to increase the amount of a debtor's assets that are exempt from seizure. Today trustees in a bankruptcy must seize everything the Execution Act allows upon a judgment. That means that some people who have suffered a bankruptcy have been forced on to social assistance despite the intent of the act to allow them to support themselves.

We are further protecting the people of Ontario with the proposed amendments to the Consumer Reporting Act. They will prohibit credit repair companies from charging consumers large amounts of money in advance of helping them repair bad credit ratings. We won't allow companies to charge those desperate to repair their credit ratings before providing any service, and we'll prevent companies from using false claims in their advertising, with statements such as that they can "clean bad credit."

We're also making a change that will reduce the frustrations faced by newlyweds here in Ontario. This bill

amends the Change of Name Act to eliminate the requirement to apply for a change of name within 90 days of marriage. Now, if newlyweds miss the deadline, they must go through the expensive and time-consuming process of a formal change of name. The arbitrary deadline does not reflect the pace of our busy lives, especially those of newlyweds, who are busy getting their families together and settling in to their own individual lives at work.

We were elected in 1995 on a promise to create 725,000 new jobs. Not only did we meet that goal, we exceeded it. Our 1999 election commitment is even more ambitious: to create 825,000 new jobs. The reduction of red tape is an integral element in our plan to reach that goal. I think it's important, when we talk about job numbers, to remember they're not just numbers. These are real jobs, reflecting work done by real people with real families in our own communities. Thanks to this government, they now have real opportunities to realize their dreams.

The reduction of the paper burden that governments have imposed on the small businesses of the province will allow them to redirect these resources, grow their own businesses and create more jobs for fellow Ontarians. It is about making it easier, faster and less expensive for the people and businesses of Ontario to do business. As my colleague emphasized before, it's about freeing the province's businesses from unnecessary and antiquated regulation while ensuring they remain responsible corporate citizens. That's an important point because the opposition across the way for sure will say that reducing red tape means reducing responsible activities in the marketplace, and that is not so.

I've heard that the province's regulatory framework is something like sandstone. If you can picture sandstone, one layer upon another, then upon another, there are so many layers that someone working their way through the system almost needs a jackhammer to find the answers he or she wants. Quite frankly, Ontarians should never have to resort to heavy machinery when they deal with government. Government is for the people. That is our job: to ensure that good government is available to all constituents, and that means process.

I would like to take a moment to compliment the red tape committee at this point. I could not tell you how many constituents have come forward to my office to ask advice on how to do something better if they're making a proposal or working on a project. Time and time again, I have referred them to the Red Tape Commission, and I can say to you that I have heard back many times over how pleased individuals and businesses have been with the response they received from the commission—good advice on what to do in the face of a difficult regulation and responsiveness in making changes to regulations that clearly should have been changed.

Even this morning, on a matter totally unrelated to this particular bill, I met with some constituents who were seeking advice on a matter, and they complimented the Red Tape Commission on the work they had done and

really felt that it was part of the good government they have come to expect from the Harris government.

All of the members of that committee deserve our thanks. They have been very diligent and very serious in their efforts, and quite frankly it has paid off.

1600

I'd like to take a moment to reflect on some of the pieces of the bill that are before us. In particular, I was struck by some of the pieces brought forward by the Ministry of Natural Resources. There are in fact changes affecting 15 different ministries before this bill. For instance, under the purview of the Ministry of Natural Resources the Aggregate Resources Act will be amended to facilitate changes to site plans and provide time extensions for wayside permits. Licence and permit holders must provide notification of changes in name or address and form holders may be held accountable for rehabilitation of aggregate sites—again, one more little piece of ensuring environmental protection.

The Conservation Land Act is amended to allow the definition of "conservation body" to be expanded by regulation. This change will allow for additional groups or organizations to be eligible to hold conservation easements.

In my life before I became involved in politics here in Queen's Park, I was a member of the Speed River Land Trust, and this was an important piece of regulation that affected our organization as it tried to find ways to conserve properties across Ontario.

The Forestry Act, for instance, is amended to provide greater flexibility in responding to pest outbreaks. Certainly this is a serious concern. There has been a bit of a scare lately with an Asian beetle that has been found. If passed, it will allow proceeds from certain land sales to be used for forestry purposes and allow for the adoption of qualification standards for forest technical workers.

Of course, last night in the Legislature we passed third reading of the Professional Foresters Act. Anyone who has managed forests will be interested in this sort of thing. In our government, with the Living Legacy program, we have set aside hundreds and thousands of acres of parkland—unprecedented in the history of Ontario.

As well, under the Niagara Escarpment Planning and Development Act, authority is provided to enter into agreements with development permit applicants such that the conditions can be registered on land titles. Authority is also provided for the issuance of stop-work orders under certain conditions. Public meetings, for instance, on proposed amendments to the Niagara Escarpment plan and hearing processes are modified to allow for easier resolution of differences.

Those were just a few that caught my attention under the Ministry of Natural Resources heading.

Here's one, for instance, that was brought before me by constituents a year or so ago—no, I guess it would be longer than that, maybe two years ago. Then it was brought forward to the Red Tape Commission. This schedule proposes, under the Ministry of Transportation and the Highway Traffic Act, provisions dealing with the

impoundment of vehicles whose drivers are under suspension by extending the grounds for impoundment, by extending rights and responsibilities to the lessee of a leased vehicle and by allowing for early release in prescribed circumstances. There were unintended consequences in the Highway Traffic Act before when a vehicle was impounded. If it happened to be a leased vehicle, the company took an extraordinary hit, had a vehicle out of commission through no fault of their own in that the driver was to be penalized, not the lessor of the vehicle. So this is important.

A number of provisions regarding the weights and dimensions of commercial motor vehicles and trailers are proposed to be amended to permit implementation of a harmonization agreement with Quebec to establish a permit system for variances from statutory limits, to permit reductions of limits for prescribed classes of vehicles and to add an extra fine for liftable axle misuse.

Again, these are simple things but things that, for instance, in this particular case are preventative in nature, with just-in-time kinds of deliveries, with the changes to railroads, which we don't always with. They certainly put a lot of stress on our roads, and things like axle weights are important.

This particular one refers to harmonization agreements with Quebec. This is something that's often overlooked in trade with partners not only in various provinces across Canada but with the United States. Undue regulatory burden creates all kinds of difficulties for people who do business in various jurisdictions. Of course, within a couple of hours you can be in any number of different places. If red tape is not harmonized, these regulations can create all kinds of problems and time wasted—and that's money wasted, that's opportunities wasted for various different kinds of businesses.

This is one that caught my eye under the Ministry of Consumer and Commercial Relations: the Ontario New Home Warranties Plan Act. The Ministry of Consumer and Commercial Relations is amending the Ontario New Home Warranties Plan Act to ensure that purchasers of new homes are covered by the plan, whether they bought the home from the builder or from subsequent owners. This administrative amendment will ensure that the program meets its objective of providing protection to new homebuyers in Ontario. Of course, the home warranty program is something that we're very pleased with, that has worked very well in the province. We've certainly had a number of initiatives to encourage home ownership in Ontario. This is an administrative change that just makes that entire program work better in the province of Ontario.

As I said at the beginning of my remarks, when I look upon red tape initiatives, regardless of which of the 15 ministries I look at, I guess because of my background in retail, I look at them from the point of view customer service. As I said, when people phone our offices, they have no clue sometimes which level of government they should be approaching. They just know that they need some help with a law or with a regulation. Very often they don't even understand the difference between a law,

which of course has to be debated and passed through the House here, versus a regulation that can be changed in cabinet much more responsively. They simply know that something needs to be done, something is standing in their way. They don't want the law to be irresponsible—certainly I think people in Ontario appreciate the role that regulations and laws have here—but they expect it to be firm and to accomplish the objectives in the best interests of the public good. But they do expect to be able to find their way through and get to the end of it in a reasonable and fair manner.

In my term of office, from 1995, the most frustrated people are people who come to my office because they see a regulation or a law that treats them unfairly in that it's not applied appropriately, it's excessive in its requirements, it's excessive in the amount of money that's required to get through it. It has not been uncommon for some people to have visited my office who have had hundreds of thousands of dollars invested in a project and are sitting across me in complete frustration because they thought they were at the end of the process and suddenly the rules changed because another ministry became involved and they start all over. Sometimes they continue; sometimes they throw their hands up in complete frustration and, quite frankly, curse us all in government in general, no matter what level, because they see it as such an insurmountable impediment to doing business in Ontario.

I know some of my colleagues across the way say, "Doing business in Ontario; you're always thinking about business." Doing business in Ontario is what puts bread and butter on the tables of most of our constituents.

We went through 10 years—as my colleague said, we call them the lost decade—where net jobs were actually lost in the province. People could see hope and opportunity and prosperity slipping away from them. That is primarily why our government was brought to power in 1995.

We take great pride in keeping our promises, in following through on the ideas we present to the electorate prior to an election. This is just one more of the promises made and promises kept if this bill is passed in the Legislature.

The Deputy Speaker (Mr Bert Johnson): Comments and questions?

Mr Bruce Crozier (Essex): I will be rising later in this debate, but I wanted to say at the outset, from the government's beginning, that I feel quieted and I feel confident now, hearing the member for Northumberland say that this bill is going to prevent the next economic downturn. It may be, in their eyes, a significant bill, but to say that it's going to affect the economy in the way that the member for Northumberland spoke—I'm quite surprised it's that significant. Obviously, during debate we'll have to pay a lot more attention to it than we may have done at the outset.

Interjection: We must have missed something.

Mr Crozier: Yes, we've obviously missed something.

I also was interested in the comments from the member for Scarborough Centre. In her comments she

used the words "one of the fairest" and, I think I may be paraphrasing, "one of the finest bills that has ever been presented to this Legislature." I was about to believe her until she told us that she was a member of the commission. I just don't want the member or any others on the commission to break their arms patting themselves on the back.

As we get into this debate, I'm sure we're going to find that there's more substance than was mentioned in the leadoff today. I think there probably is more substance than just keeping our dogs on a leash and seeing that they don't run off and bite people or other domestic animals. I suspect there's more to this bill than that. That's what we look forward to in the debate as it goes on.

1610

Mr Peter Kormos (Niagara Centre): I don't have as much confidence in these red tape bills as the Tory backbencher does because, quite frankly, I've seen too many of them and we've seen so many people get burned by them. OK, the bills repeal acts that haven't been utilized for significant periods of time. That can be done with the stroke of a pen, quite frankly, when we undergo the RSO process for the year 2000. We know that. There's nothing new about that being included in this kind of legislation.

But inevitably in this legislation one finds provisions to provide more and greater user fees—new taxes, user fees, call it what you will. That's been the experience across the board from red tape bill number one through to this one, Bill 119.

As well, I'd like to hear from some government members, some with clout and some who are prepared to make a commitment on behalf of their cabinet, to address the concerns of the Ontario Grape Growers' Marketing Board and the kind of folks you have down here in Niagara and down in western Ontario, down towards Pelee Island—grape growers who note in schedule P, section 3, but haven't yet heard from this government, a commitment to ensure that Canadian wine/Ontario wine really is Canadian wine/Ontario wine, not just the smallest percentage.

You see, these grape growers are being victimized, with the collaboration of this government. This government is a co-conspirator in the attack on grape growers down where I come from and down Pelee Island way too. We've got a government that's hell-bent on ensuring that cheaply produced Chilean grapes, among others, form the majority of the content of what this government still permits to be labelled as Ontario wine.

Ms Martel is going to be speaking to this shortly this afternoon and is going to be addressing the concerns of the grape growers' marketing board more specifically. I'm looking forward to her comments and I know you are too.

Mr Joseph Spina (Brampton Centre): I'm very pleased to comment on my colleague's comments. What brings me to this is a question that people ask me. They say, "Why did you run for politics?" I didn't have to.

Hon Mr Baird: I asked myself that question.

Mr Spina: The Minister of Community and Social Services asked that question. We're glad he did. I think he's doing a great job.

I was a small business-man. I had a business since 1980-81 and people wondered why I ran for politics. I became extremely frustrated. In answer to the questions that a lot of people had about government and criticisms they had about government—they criticized that government was full of taxes, government was full of red tape, government was full of bureaucracy. You know what? The interesting thing is that we came here to fix those issues.

I was very proud that during the first mandate of the Red Tape Commission, over 1,300 regulations were cleared out of the system. In response to the member from Welland-Thorold, I was proud to say that the first commissioner was Frank Sheehan; and Frank is still involved in this. The government felt that Mr Sheehan's role is still very important, and he is here. I would say to the member from Welland-Thorold that his former member probably would have got more attention to the Red Tape Commission, but his concern will not be lost on the Red Tape Commission because the co-chair who currently is in place, the member for London West, will more than address the issue.

Mr Dwight Duncan (Windsor-St Clair): I am pleased to respond to the member for Guelph-Wellington. First of all, this is called a red tape bill. In fact, there hasn't been much done in the way of regulation changes in red tape bills, really since the first couple of red tape bills. It's worth noting that a number of regulations that were removed in those earlier bills dealt directly with things such as water quality. We all know what happens when you take those regulations out.

We on this side of the House believe government has a role in regulating a whole range of activities, commercial and otherwise. We as a party have promulgated regulations and have talked about the need for that. They don't believe in that. They believe in unfettered markets. That's a legitimate point of view, not one I share. I believe there is a legitimate reason to have a strong regulatory environment, recognizing that you have to find balance. They're not interested in balance.

There is one piece of this bill that is not a regulation, that bill that amends the Compensation for Victims of Crime Act. Let me tell you the story about what led to this. A constituent of mine was the first in Ontario to reach the maximum benefit under the old regime. We notified the Attorney General more than a year ago that this was going to happen. We notified him here in the House; we notified him by letter. Mr Montforton's benefits ran out last May. This is the gang that talks about victims of crime. I'll remind you, he was a gentleman who was assaulted some 27 years ago and was left a quadriplegic. This year, when the Attorney General hadn't introduced a bill, we introduced a bill, and the government let it sit on the order paper. All summer they left Mr Montforton in limbo, without any undertakings or commitments. Now they move. They've raised the limit;

they haven't kept pace with inflation. I suppose it's a start. But they're really not talking about protecting victims of crime; they are just grandstanding all the time.

The Deputy Speaker: The member for London West has two minutes to respond.

Mr Wood: I've had requests from a number of members to tell the House how Frank Sheehan is doing. The answer is, he's doing very well. He remains strongly committed to better customer service and to cutting red tape and creating jobs and investment in Ontario, and I may say has done an excellent job.

Interjections.

The Deputy Speaker: Order.

Mr Wood: I think he deserves a lot of credit for the excellent work the commission is doing now, because he chaired it on his own for the first four years. We have developed some quite good ideas on what good regulation and good customer service are.

I would invite my friends across the way to be certain that they understand the economic significance of a good regulatory policy and a good customer service policy. If investors think we don't get it, they are going to locate in jurisdictions other than Ontario. The work the commission does, taken as a whole, is quite essential to economic development and jobs in this province.

Interjections.

Mr Wood: I'd also like to clarify for the members across the way what the commission's policy is on regulation. What we want is good regulation and effective regulation. The Liberal Party, for example, seems to be married to old ways of doing things and old ideas. Well, that's not going to cut it in the 21st century. If indeed we are going to have economic growth and jobs, we have to look at 21st-century ways of accomplishing the kinds of regulatory objectives the public has. The commission most certainly is not married to the old ways or married to what was done in the past. We want to do better, we can do better, and we're going to do better.

The Deputy Speaker: I just want to remind the members that there is nothing in our rules that allows you to talk back and forth. If you have something to say, you say it to the Speaker and through the Speaker. I wouldn't want you to think that you might get another warning before I would take some appropriate action.

The Chair recognizes the member for Niagara Centre on a point of order.

Mr Kormos: Assuming you just spoke to me, I address the Speaker regarding the Red Tape Commission and the fact that it cuts red tape for polluters and that it's punishing grape growers and that it destroys legislation that is designed to protect consumers.

I address this to you, Speaker, as instructed.

The Deputy Speaker: That is not a point of order. Further debate?

1620

Mr Crozier: I appreciate the opportunity to stand today to lead off the debate of the opposition on Bill 119. I appreciate very much that you've given instructions to the members on how we should act, because only a

moment ago the Minister of Community and Social Services was barracking at us, and that's unlike him. On the other hand, the Minister of Economic Development and Trade is sitting here very gentlemanly, so I think we should take an example from the minister of—

Hon Mr Baird: I take my example from you.

Mr Crozier: Well, someone suggested they take the example from me. You know, it's kind of interesting, because oftentimes back in the riding, and I'm sure you've experienced this too, a constituent will say, "You know, I saw you on TV the other day," and the first question I ask them is, "Was I behaving myself?" And they'll say, "Of course you were." So then I ask them what I was speaking about and that's where it becomes a little more difficult to understand.

But I'm here today to lead off this debate, to kind of put the bill in context. As has been mentioned by others, there are some 200 amendments—if those constituents of mine at home can believe that—some 200 amendments to, I'm told, 75 bills in 15 ministries. I've heard that there is the introduction of two or three new acts, in fact. So that's quite a bit go through.

Speaker, I should say at the outset too that I won't take up all the time. I'd like to share it with the member for Hastings-Frontenac-Lennox and Addington, as well as Scarborough-Rouge River and Don Valley East—that is, if I get wound up and can get unwound so that I leave them some time.

To put this bill in context, in my view it really is not a red tape reduction bill. This is in fact an omnibus bill. If it were just to get rid of some of those unused regulations, make some minor changes, no doubt you would get the support of this side of the House. In fact, there may be parts of this bill that we would like to support. The problem is, when this government presents an omnibus bill such as this, it has so many hidden things in it, so many things that a reasonable person, a reasonable constituent of mine, would object to that in the end we have to point out those areas.

The government speakers have said that this bill will be the saviour of the next economic downturn, as I mentioned earlier. We really question whether it's going to do that.

They've suggested that there are areas of this bill that will reduce red tape, for example, in the name changes of newly married couples. I agree with that. There are a couple of acts it will dispense with because they haven't been used in years. I agree with that. There are parts of this bill that we can certainly agree with and support, but what the government members didn't do in their opening remarks is point out some of those areas of the bill that are really contentious and some that shouldn't even be in a bill such as this.

Over the next few days of debate, various members of my caucus will point out those specific areas that we have to look out for, and in doing so, we'll point out that this bill shouldn't just automatically get the support that the government members suggest it should have.

I want to point out an example, for me, of red tape and something this government could step in and help with immediately. The member for Guelph was speaking about how often our offices are contacted for help, day after day, mostly in the area of health care and education and the Family Responsibility Office, which is still a mess and I'm not so sure that any constituency office can help with that. But we do get contacted a lot where constituents need help. Let me give you an example of where they're not helping when it comes to red tape: the Ministry of the Environment.

I call the Ministry of the Environment in Windsor; they have a regional office. Over the years we have contacted these offices, so we may even know the people we're dealing with. But do you know what has happened in the last couple of years with this government? Staff in the Ministry of the Environment office in Windsor can't speak to me over the phone. They have to call the minister's office, and then someone from the minister's office phones me. If that isn't red tape, I don't know what is. I know we have good staff in these regional offices. They can help us out, and they can help us out with one phone call.

But do you know what? It takes, at the very least, three phone calls and several days now. What happens is that the minister's office calls me. It may be the executive assistant, or God knows who it might be, because there are so many political staff in minister's offices these days that it's difficult to keep track; it's ballooned far and beyond what was ever in any other government previous to this. But anyway, I'll get a call back from the minister's office. I have to re-explain what it is I want. It might be some mundane little thing; it might be an interpretation. But this government is so anal-retentive that they won't let a bureaucrat answer a question like that. I think that's red tape. That's an example of red tape that this government could get rid of. All you have to do, Ministers, is tell your staff in regional offices, who are highly qualified and competent, that they are able to answer our questions.

We all acknowledge that you won the election last year. You don't have to worry about it for the next couple of years. But what I'm afraid of is that this red tape I'm speaking of is just intended to keep track of what we're doing. I don't mind if they keep track of how hard I'm working for my constituents. In the next election, the candidate opposing me on the government side will say, "That Crozier, he worked hard because he called the Ministry of the Environment this many times, and he called the Minister of Transportation this many times, and he called the Minister of Health this many times." I hope that with this record they're keeping of what we're doing, they'll also give us credit for having worked at it. But that's an example of red tape that I think they could help us with almost immediately.

In the opening remarks of the government members, I think I heard the words "easier, faster, less expensive." Again, I'll use the Ministry of the Environment as an example. Yes, maybe they have made things easier, faster

and less expensive, but for whom, and what has been the result? For close to six months now, the issue of water quality in this province has been before this Legislature, with of course the exception of the summer break, when we would have liked to have been here talking about it. But to what extent has doing things easier, faster and in a less expensive nature contributed to the problems we have with water quality in this province today? How many people are sick because we've tried to do things faster, easier, and in a less expensive way? Yes, we may find at the end of the inquiry that's going on that even some deaths may have been caused by a government that was anxious to do things easier, faster and less expensively, but we'll see how that goes, and I hope that's not the case.

1630

Another point that was raised to a great extent by the members opposite was customer service. Well, let me tell you what they've done to reduce red tape and improve customer service. They've made citizens in rural Ontario travel greater distances to have driver examinations. They've made rural Ontarians go into cities to have driver examinations. They've made students who should be in school take a day off because they have to travel further distances to have driver examinations. They have to go into cities to have driver examinations. Of course I'm speaking about the driver examination centre that was closed in my hometown. That's one issue that I get calls about, even now that I don't represent my hometown. I'm sure my colleague Pat Hoy, who represents the area of Chatham-Kent Essex, which includes Leamington, gets those calls.

That's not customer service. In fact, if I take the interpretation of some, it's increased red tape. It's made it more difficult for them to get service. It has not reduced red tape but it has reduced service.

Just recently, for example, the licensing office in Kingsville was closed. Customer service improvement? I doubt it. Could we interpret that as increased red tape? Well, it's certainly more difficult to get your licence renewed in the southeast part of Essex county. I don't think you should be able to stand there and brag about increasing customer service when you've taken service away from customers, which is what you've done, and at the same time added insult to injury by increasing the cost of the service provided.

Do you want an example of how you could increase customer service? It wouldn't mean any more red tape at all. In fact, it would make people happier. Open up a driver examination centre for the senior citizens in my riding and those in the border riding of Chatham-Kent-Essex, and for that matter for all the ridings in the county of Essex, outside the city of Windsor. That will take some of the load off the one in the city. I haven't checked lately, but the last time I checked it took at least six months to get an appointment. So they could increase customer service and reduce the red tape: just open an examination centre. We know with the fees they charge, these things are profit-making centres as well.

There is another example of something this government has done which has increased red tape. It used to be in this province that good, charitable organizations like the firefighters, the Oddfellows, university students who conduct Shinerama, could go out and raise funds for needy organizations. Bill 8 was An Act to promote safety in Ontario by prohibiting aggressive solicitation, solicitation of persons in certain places and disposal of dangerous things in certain places. Do you know what I would call Bill 8, which was brought in last December? I'd call that red tape. We now have charities in this province—and I'll use muscular dystrophy as one example. They will get approximately \$750,000 a year less because the firefighters are faced with red tape. I'm calling Bill 8 red tape. Even though it has actually made it against the law, that's what it is. It's made it more difficult, just like red tape. They can't go out and raise money for muscular dystrophy the way they have for years.

What was intended by Bill 8, at least as we understood at the time, was to get squeegee kids off the street. Well, I tell you what, folks. When I come into the city on a Sunday night, it's not unusual for me to be approached by someone at a street corner to clean my windshield. But that's a Toronto problem. This government, through Bill 8, has taken a Toronto problem and made it the hugest red tape problem across the province that one could imagine. In fact, I couldn't even imagine that they did it on purpose. I think they just took one issue, looked at it and said, "We know how to solve that for the city of Toronto," and came up with what was a poorly written bill. And a poorly written bill, to me, is nothing but red tape.

What we're suggesting is, if you want a way to reduce red tape, if you want a way to help these charities out, if you want a way to allow them to continue what they've done for years on behalf of charitable organizations in this province, you can do one of two things. You can pass a private members' bill that I've presented, Bill 64, that exempts charitable organizations and that, in fact, to help the red tape for the provincial government, goes to the local level and allows municipalities to decide how, where and when these fundraising activities could be carried out.

Now, what a better way to reduce red tape than for the provincial government to aid those local charities which can simply go to their municipal government, talk to the people they know, the people who are accessible, explain what it is they want to do and, in all likelihood, particularly in small urban and rural Ontario, carry out that activity? Again, it may be a big city problem to have firefighters stand on a corner, or have the Goodfellows stand on the corner, or have college students conduct Shineramas but it wasn't a big problem in small urban and rural Ontario.

But what you've done is put this huge red tape bill in everybody's face, and you won't change it. I don't know why. If it's a matter of saving face, look, we won't even make an issue about it. With unanimous consent, I'm sure these kinds of amendments, my private member's

bill, could be carried through the House. Better still, the government could bring in its own amendments. Make it be a government bill. Show people that you want to reduce this red tape when it comes to raising money in the province of Ontario and help them out. You can do that. That's an example of how you can reduce red tape, in my view.

I've given you a couple examples of how you can help us out and how you can reduce some red tape. Now we have to get to the bill. As I said, it's my privilege to rise today to lead off the debate because the honourable Chair of the Management Board introduced this bill. I suspect he did so because it does cover a number of ministries, and Management Board, in its normal function, covers a number of ministries.

It isn't that there is any specific part of this bill that I'm involved in as critic through the Management Board, but certainly over the debate on this particular piece of legislation you will hear from many of the colleagues on my side who have a specific interest in the bill. Later this afternoon my colleague from Don Valley East I'm sure will have some comments to this. It just isn't red tape we're talking about. There are significant changes to legislation that this bill touches on. Quite frankly, I suppose a reasonable person would think you really can't touch 15 ministries, 75 acts and over 200 amendments without touching on some pretty significant areas.

We're going to be talking over the next few days about compensation for victims of crime. My colleague from Windsor-St Clair questioned the minister on this yesterday, spoke again briefly on it today. That's not a red tape issue. Compensation for victims of crime is a significant issue in this province, one that in all likelihood should be debated on its own. We should spend time talking about compensation for victims of crime and how victims of crime should be able to speak to our judicial system. It shouldn't be part of an omnibus bill like that. It's unfair, I think, to victims of crime to trivialize it by including it in a bill that eliminates some owner-dog relationship, how they should handle their animal.

1640

Under the Ministry of Consumer and Commercial Relations we're going to be talking about the Bailiffs Act, where the minister can now give consent for a bailiff to act outside the county, rather than a judge. You know what that does, Minister? Excuse me, Speaker. That's a Freudian slip. I'd like to see that, by the way. But you know what that does, Speaker? It really gives ministers more discretionary power. I guess if we're talking about the government getting in your face, it really gives a minister more power. Should it be a judge? A bailiff has some very important functions to perform and I'm not so sure that there may be cases, and we'll get into this later, where a bailiff should be given that permission by a judge and not just by a minister.

We're going to be reviewing the Collection Agencies Act, where sales reps working for collections agencies and who do not collect debts or deal with debtors are not required to be registered with the act. A good idea on the

surface; I don't see anything wrong with that, as long as we can be sure that somebody working for a collection agency isn't going to be, from time to time, from day to day, actually collecting debts, as long as all they do is sell the services to, in this case, I assume, businesses or even government—because this government uses collection agencies—as long as we can be sure that all they're going to do is sell. Because we know there are rules covering collection agencies. And I get complaints about these at my office, the way they go outside of the law to collect debts. We all agree that a debtor is a debtor is a debtor. If you owe money, you owe someone, you should pay it back, no question, but there are laws and regulations that cover how you go about doing that. Some debt collection agencies don't act within that law. We have to be sure that they don't go outside the law under this bill as well.

We're going to be looking at the Land Titles Act. The director of titles and the examiner of surveys will be appointed by the deputy minister rather than the director of land registration. I can't say today whether that's good, bad or indifferent, but I'm sure that we will, in the forthcoming days, during debate, be looking at that to make sure that there isn't something hidden in there.

It's my understanding, and our critic will be speaking to this, that the Theatres Act, to a great extent, takes away from the regulation of the film machine operators. A couple of years ago there was a significant strike in Ontario. If this is a good move, if it will help, then that's great. If it's simply intended as an anti-labour or anti-union move to get rid of the cinema operators, that's a total other question and one that should be debated in this Legislature, no matter what side of the issue you're on. It may not simply be a case of red tape.

Under the Ministry of Finance we're going to be looking at the Insurance Act, which allows viatical settlement companies to conduct business. This is a major change and should be debated on its own as an amendment to the Insurance Act, because I'm willing to bet, and I'm not a gambling person, that the majority of people in this province don't understand what that means. If I thought I'd even get a reasonable response, I'd ask for a raise of hands here today of those of us in this Legislature who know what a viatical is. Therein lies the problem. It's not just a bit of red tape. It may be a good thing. What it is is that people who are critically ill can sell their insurance policy at a discount. That's significant. Today insurance companies, under the Insurance Act, can provide you with living benefits. What that means is that you can access your insurance policy if you're critically or terminally ill, with certain restrictions and regulations, and that you deal with the insurance company the policy is written with.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): So?

Mr Crozier: "So?" the minister says. See? That's the attitude: "So?" So, Minister, there are crooked people out there. There are people who will sell you swamp land in

Florida. There are also people who will cheat you out of your life insurance policy. That's what I mean. The response from these people is, "So?" That's a significant issue. You still own your insurance policy under living benefits; you don't when you sell the thing. It's gone. That should be debated in this Legislature, and we all should understand what it means. It's significant. That's why it shouldn't be wrapped up in an omnibus bill that's called the Red Tape Reduction Act. These are the kinds of issues we're getting at, folks. We don't mind expeditiously handling the little things, but these are life things we're talking about here.

The Ministry of Health Appeal and Review Boards Act is going to be looked at. You know what that reminds me of? When I was speaking earlier about service. This government wants to increase service in this province. What's happened under the health care system and the service they've provided? They want to privatize paramedics. They want to take professionals and privatize paramedics. These professionals have all resigned. The service may be private today—I'm referring to air ambulance. The air ambulance may be private in itself, but the paramedics work for the province.

The Wine Content Act, under consumer and commercial relations, was referred to earlier by my colleague from the Niagara Peninsula. This should be debated as a separate act. You don't reduce red tape by creating a new act. That's what we're here for. We're here to debate legislation, to debate new ideas and to debate new acts, and that's what we should be able to do with the Wine Content Act, for example.

But it goes on. There are some under northern development and mines, natural resources, colleges and universities, agriculture, labour. There are some changes in here under labour. As I say, it goes on—even education.

In concluding, I would just like to say, please don't trivialize some of the issues I've brought up by saying they're simply a reduction in red tape. It's much more than that. There are issues that should be debated in this Legislature, and that's why I feel that it will be difficult, if not impossible, for me to support this act, because we don't get a chance to say, "We like that; we don't like that."

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm happy to have the opportunity to make some comment on Bill 119. I have to say that I was somewhat overwhelmed when I began my review of the bill as it has been presented. It has been entitled the Red Tape Reduction Act—at least that's the short title that we in the Legislature would use—but I would suggest that a more accurate title for this bill would be that it's an omnibus bill that will deal with a variety of acts and impact a variety of ministries. This kind of legislation disturbs me somewhat, because it really begs the question, why such a blanket piece of work?

I agree with a number of the comments that have been made by my colleague the member from Essex and others of my colleagues who have had an opportunity to

speak to this bill that much of what is contained in this document, in the interests of time, we will really not have an opportunity to debate as we would like if it were introduced as separate legislation. It concerns me that we have a piece of legislation here that requires us to—and while I would suggest that there are a number of articles within the act that are reasonable, I have very serious concerns about how prudent it is to support other parts of the bill.

1650

My colleague from Essex spoke about customer service. As Ontarians, when we consider an act that will reduce red tape, who among us likes red tape? Who among us likes dealing with unnecessary paperwork? However, I would suggest that much of what I have read here—I don't know that I would say it's unnecessary. I would suggest that some of the provisions that are in law now, and perhaps should continue to be in law, are there for the protection of the people of Ontario. So in our rush to reduce the amount of paperwork, have we really considered the real impact it will have for people in our ridings? As my colleague from Essex indicated—

Interjection.

Mrs Dombrowsky: Sorry, I didn't mean to wake you up.

As my colleague from Essex had indicated, is it really going to mean better customer service?

Mr Kormos: Who's sleeping in the Legislature?

Mrs Dombrowsky: Gosh, I heard a yawn.

Will it mean better customer service for the people of Ontario? That's really what we're all about. That's really what we're here to ensure.

I agree with my colleague from Essex when he suggests that we need more people in the field, we need more people in offices to provide that service. I get calls in my constituency office from people who have tried to contact various government agencies and they get a phone number or a voice mail. It's very difficult to get a warm body at the end of the phone these days. When they write a letter, it takes some significant time for a response. All of that relates directly to the fact that there are fewer people now hired to do the business of the people of the province. Certainly I have the occasion, on a very regular basis, to speak with people who are engaged in the public service and who have told me very clearly and quite unequivocally that they do not have the human resources to adequately meet the demand that comes into their offices. That's something that I know the members of the government are aware of, but are not inclined, are not willing, are not of the mind to do anything about, because providing quality customer service is obviously not a part of your agenda.

There are a couple of sections of the act that I would like to address my comments to specifically, because they would relate to issues that I have had the occasion to deal with as an MPP in my riding.

One section that did catch my attention was section 77, which relates to the Tenant Protection Act. Section 77 indicates that a landlord may apply for an eviction with-

out notifying the tenant. It goes on further to explain that this would apply in the case where a tenant may have been served with an eviction notice previously. It may have been the case that the tenant has gone to the landlord and said, "I want to address this issue that has caused us some problems and would cause you to want to evict me," and the landlord would have agreed: "All right, if you're able to come to my terms and to meet my expectations, I will not pursue this eviction notice." Having done that, the tenant basically has been given the understanding that he or she has received a reprieve. This bill will now allow a landlord, if that has been a part of the history—it may have happened a month ago, a year ago, five years ago, but as long as the landlord had, at one point in the past, presented a notice to a tenant for eviction, they could initiate that process again, only this time without notifying the tenant.

I would suggest that on our side of the House we would be of the view that the person has made a mistake in the past, has made amends, perhaps has made another mistake. But that person should at least be given the courtesy of a notice to say, "Oh, by the way, I'm initiating the eviction process again." We believe that due process of the law should be respected, notwithstanding the history of a particular tenant.

Another part of this omnibus bill that is important for me to address, I believe, is with regard to the Environmental Assessment Act. It is going to be amended to provide for public notice of and public comment on proposed terms of reference for an environmental assessment. Certainly I have no problem with that; in fact, I think it is totally appropriate that when an environmental assessment on a particular environmental issue within a community is being formulated, members of that community should have notification that it is underway and should have the opportunity to make comment on it.

The interesting part of this particular amendment that I have some problem with is that the Minister of the Environment may make amendments to the terms of reference at the time of approving them. From my perspective, that gives rather inordinate powers and abilities to the Minister of the Environment. My understanding of the terms-of-reference process is really quite clear, that it is an opportunity for the proponent and the community to set the guidelines and the parameters by which an environmental assessment will be undertaken. Now we have the minister, who will be a third and outside agent, arbitrarily making some amendments to a plan that would be brought together by a community and a proponent. I'm not so sure that's a reduction of red tape. I would suggest that the minister might afford himself the same process or use the same process that would be used by members of the community or the proponent.

Ladies and gentlemen, I think it's very important that we as legislators, as elected representatives of the people—and I've had an opportunity to touch on only a couple of the myriad proposed changes to a multitude of acts that Bill 119 will represent—I think we would all do well to try to begin to absorb the significant impact that

Bill 119 will have for the people of Ontario. While the members of the government may present that it's going to reduce red tape for the people of Ontario, I think we really need to ask ourselves, what protections that we are guaranteed in law at the present time are going to be sacrificed when this bill is passed? Really, that's our responsibility and our job here, and I know that as this debate continues and unfolds, my colleagues will very capably be able to demonstrate to the people of Ontario that there will be a number of areas in which we believe that perhaps it's good to have those provisions in place to ensure that their very best interests have been guarded and protected.

I thank you very much. It has indeed been a privilege to offer my comments on Bill 119. I know that other of my colleagues have other important points to make on this bill.

1700

Mr David Caplan (Don Valley East): It's indeed a pleasure to join the debate on Bill 119, An Act to reduce red tape. It should more appropriately be called a Trojan Horse to remove the rights of tenants. It's very interesting. I'm going to deal with schedule K of this bill. It's one of the most significant.

I just want to give you a bit of background. I've been hearing for over a year—about a year and a half now—that there were some "housekeeping" changes to be proposed. I was very hopeful. I was hopeful because we know there were a lot of mistakes in the original Bill 96 and there's been a lot of discussion with the advocates, with the lawyers, with the people and the stakeholders who help to administer this act on a daily basis, Bill 96, the so-called Tenant Protection Act. I know, for example, that the minister has received the work and the hard evidence prepared by the Eviction Prevention Project, by the Tenant Advocacy Group, which represents all of the legal clinics here in Ontario, and their requests for change based upon hard evidence.

So it's hard for me to quantify my disappointment, because it goes way beyond any words or any feelings that I could express here in this chamber in parliamentary language, Speaker, for what's actually been proposed.

The changes contained in this act in schedule K are definitely not tenant-friendly. In fact, the changes should rightly be put in a separate bill for debate, because these changes, these amendments to the so-called Tenant Protection Act, will do one thing: they will ensure that tenants' access to justice is further restricted, instead of being further enhanced.

We in the Liberal Party, Dalton McGuinty and the Ontario Liberals, believe that access to justice is one of the most fundamental rights the people of this province enjoy. Unfortunately, it's not the view of the Harris Conservatives. They just don't believe it, and their actions in this piece of legislation speak louder than words. You would think in the atmosphere we have of a crisis in affordable housing in this province, we would, at a minimum, protect a tenant's ability to remain in their housing, that that would be a priority for this govern-

ment. These amendments are harmful, and the reality that tenants face every day of living on the edge is coming further and further to fruition.

I want to talk about two major areas of the bill and two major concerns I have. First, I'm going to talk about specific clauses. One thing you'll notice is that when the government members got up and talked about the bill, they didn't talk about what it actually contained. They referenced no clauses in this bill. I'm going to do that for some of the real concerns of Dalton McGuinty, the Ontario Liberal Party and for myself.

Second, I'd like to talk about some of the things that aren't in this bill, some of the excellent suggestions that have been made that the Harris government has failed to act upon.

There are several sections of Bill 119, the Trojan Horse to remove tenants' rights, which deal with the area of subtenancy and shared accommodation. This bill redefines the terms "landlord" and "sublet," and I have some real concerns. Previously, any person who rented a unit from a landlord, yet paid their rent to a fellow tenant, had status in a landlord-tenant relationship. I'd just like to read into the record what that change is. It's subsection 6(1): "The owner of a rental unit or any other person who permits occupancy of a rental unit, other than a tenant who occupies a rental unit in a residential complex and who permits another person to also occupy the unit or any part of the unit."

Let me highlight it with an example. For anyone who has ever shared accommodation with another party, they know that is a crucial relationship. You have, let's say, five university students. They live in a house with five bedrooms and they pay their rent to one of the students, who in turn forwards it to the landlord. They previously would have all had status as tenants. With this change, with this redefinition of what a landlord is, four of the students, who paid their money to their friend, lose their status as tenants, and by extension, their rights as tenants have been stripped—with the stroke of a legislative pen. Only the Harris government could strip the rights of tenants and call this removing red tape. What chutzpah. What nerve. I just can't believe it. My anger is just boiling over, that this kind of change would be in this bill and be called red tape.

The term "sublet" is also changed so that the previously existing notion—and this has existed for hundreds of years—that you can't sublet for more than you pay is now gone. It's gone in this legislation, in subsection (21), amending section 140 of the Tenant Protection Act. It says, and I'll read this into the record, "sublet a rental unit for a rent that is payable by one or more subtenants and that is greater than the rent that is lawfully charged by the landlord for the rental unit."

So if your rent is, let's say, \$800 per month, and you needed to sublet for two months, you could charge someone for subletting your place \$900 or \$1,000 or \$1,200. That is not unheard of, particularly in the kind of tight rental market, because of the housing policies of the Harris government, in a place like Ottawa, which has a

0.7% vacancy rate, or Kitchener or Guelph. I heard the member for Guelph-Wellington: Guelph has a 0.5% vacancy rate. So somebody looking to sublet could be paying more than the lawful rent according to the rules, according to the amendments, according to the changes brought in. This section leaves the whole area of rent control and legally allowable rent open to just terrible abuse.

I want to comment briefly on the changes regarding criminal activities, drug offences and the rights of tenants. Anyone who knows tenant issues knows that illegal activities are the least frequently cited cause for eviction. The proposed changes here in the act regarding termination of a tenancy agreement change it from 20 days to 10 days if the notice of termination is "grounded on"—that's the term used in the bill—illegal activity.

First of all, why reduce the notice time? These hearings are scheduled urgently by the tribunal. If someone is accused of doing something illegal, there should be more time between the notice and the hearing because of the seriousness of the charge. It's a criminal matter, and there's a need to prepare a proper defence. In essence, all this section does, all this change does, is accelerate the eviction process. Nobody wants drug dealing or other illegal activities occurring within rented units. However, the term "grounded on" is a loose one. I have some real concerns about how justice is being served in this process.

There's no requirement for the tenant to be formally charged. The police don't even have to lay a charge. A landlord can say, "I believe," and they can move for an eviction. The burden of proof is low. It provides potentially an unscrupulous landlord with an easy way to evict a tenant. Suspicion of activity is all that's required.

Perhaps most importantly, the Ontario Rental Housing Tribunal is given far too much leniency to decide matters of criminal law. Criminal law is supposed to be decided by judges, not by political appointees such as adjudicators on the Ontario Rental Housing Tribunal. These adjudicators barely have enough understanding of rental housing law. Now they're supposed to become experts in the full scope of criminal law? It's unreasonable and it virtually guarantees a disastrous outcome for those who act without the proper knowledge.

I'd like to highlight a few other sections. Section 187 is truly, truly scary and insidious: "On its own motion and on notice to the parties, amend an application if the tribunal considers it appropriate to do so and if amending the application would not be unfair to any party."

First of all, giving a tribunal the leniency to adjust applications themselves—somebody goes down and fills out a form, submits that form to a legal body, and that body's going to change or adjust it. I think this is going to have the effect of speeding up default orders. You're going to have staff at the Ontario Rental Housing Tribunal, adjudicators at the Ontario Rental Housing Tribunal, alter applications in order to expedite the process. Since 90% of the applications are landlord-initiated, it's of real concern that these will be used to expedite

evictions. Although the section states that it will only be done if it's not unfair to any party, what's the definition of "unfair"? Who's going to decide what's fair and unfair? There's no definition in this act about that. That is an incredibly subjective term. I have some real fear.

It is a leap of faith to make the assumption that tenants will not be treated unfairly, because it has been the track record of the Harris government that tenants are losing their rights, that they are being treated unfairly. That's a hallmark of this government, so it would be inconsistent to believe that this section would not be used to the detriment of Ontario's tenants.

1710

I want to talk to you about the change to section 192 of the act. Again, this is very scary stuff. It says, "The tribunal may designate one or more employees of the tribunal as default order officers for the purposes of subsection (1.2)." Defaults can only be ordered by an adjudicator, but now we're going to have a bureaucracy, we're going to have staff members, bureaucrats, deciding whether an immediate order of eviction is going to be issued.

Where's the due process? How are the rights of tenants protected? The amendment allows default orders by a new level of bureaucracy. Frankly, in a red tape bill, or a so-called red tape bill, this is an incredible contradiction, to say the least. It trivializes the judicial process if just anybody, any default order officer, can issue these kinds of orders. It also contributes to the trend of moving away from proper hearings concerning landlord and tenancy matters. Although it's being masked as a house-keeping amendment, increasing the number of default orders means an increased pace in evictions for tenants.

Appealing a default order or getting a set-aside is one of the most difficult matters, lawyers have advised me, that they face in law, more difficult in fact than getting a set-aside of a court order. So many tenants are going to be adversely affected by this particular amendment.

What's even more disturbing are the changes which aren't in the bill. There have been many options to consider. I proposed Bill 36. We've had recommendations by the Centre for Equality Rights in Accommodation after the eviction prevention project was released. We've had recommendations by the Tenant Advocacy Group, which has met with the minister. We've given him close to 30 proposals to give this act some teeth, to give people some rights. Virtually none of these changes is found in this bill. Although, to be fair, one of the six suggestions that I made in Bill 36 is contained in here, and I do support that and I'm happy to see that, virtually nothing else is contained in here.

So what about the suggestion by the eviction prevention project that the Ontario Rental Housing Authority communicate in writing directly with a tenant or with both parties regarding the eviction proceedings, ensuring that both parties are aware that there is a proceeding against them? At this moment in time, and after this bill, if it's passed by this House, tenants are given five calendar days—that includes weekends and

holidays—to formally respond to a notice of hearing. If a response isn't made, the hearing is waived and a default order is issued. It's terrifying that somebody could lose their right to access to justice, lose their right to defence, in five calendar days. In fact, just about every other government agency and judicial body gives notice to both parties of an action that has commenced. This one is unique.

Anyone who has tried to grapple with the notice that a tenant receives knows that it's a complicated form. It doesn't read well; it's a confusing document. This change to give written notice to both parties would protect tenants from landlords, and frankly landlords from tenants, who fail to deliver the notice. It's shocking that the onus is on one party to notify another. This is unique to Bill 96, to the so-called Tenant Protection Act. In fact, we have hard evidence. The eviction prevention project which was carried out shows that in about one third of all cases you have the case where no notice is served from one party to another. People are losing their housing without even knowing there's a proceeding against them. At a time when we have an affordable housing crisis, this should be of concern to all members of this House. I'm shocked that that kind of notion isn't contained in this bill.

What would be the problem with the tribunal doing this, with guaranteeing that the parties receive proper notice? The Harris government clearly sees no problem with access to justice or process, or they would have made the change in the bill.

What about—here's another suggestion—acting on the suggestion that where an application from a landlord follows a tenant's application—a tenant files an application, the landlord immediately follows up with an application of their own—you don't need a written dispute to be filed; it goes straight to a hearing? It would prevent this kind of retaliatory measure. How can justice be guaranteed without a full hearing of the facts?

What about the suggestion that's been made regarding the category called "persistent late payment," that applications that are being made be automatically referred to hearing? Why is this important and necessary? Partially because the tribunal and the legislation fail to define what constitutes "persistent." There's no definition of it, partially because landlords, in filling out applications, do not have to provide proof of a pattern of late payment. So "persistent" is a very subjective term.

If these changes aren't made, can't be made, then the government should seriously consider making a change to the act with this bill to call for automatic hearings. But once again they've failed to act on this most excellent suggestion.

How about the suggestion that the Ontario Rental Housing Tribunal establish a procedure to dispose of eviction application files? Let me give you an example. Members should be aware that right now a record is kept of all notices that have been issued and the material is sent to credit reporting agencies. What the legislation

does not provide for is an updating of this information. Let me try to illustrate how this works.

Mr Baird is a tenant in arrears and a notice is filed against him. This information is sent to a credit reporting agency, but Mr Baird pays the money in full before the deadline. Good for Mr Baird, except these same credit agencies will not be updated with the information that he's paid his bill in full. You'll have a bad credit rating. All that remains on file is that you had a written notice of hearing on a certain date. What an easy thing to do: to have complete disclosed information that Mr Baird is paid up in full, that there is nothing outstanding on his record. This would be something simple. It's a letter from the tribunal to keep accurate records.

Those are some easy suggestions that this government could follow that they could put into a bill like this that would truly be housekeeping and that would give tenants the kinds of rights they need, particularly at a time of crisis in affordable housing.

Let me repeat concerns I brought to this House only last week. My colleague from Thunder Bay-Atikokan, Lyn McLeod, brought in a bill on care homes; a bill, I would add, that government members defeated. We have some real concerns about care homes related to the so-called Tenant Protection Act. These tenants in these care homes are the most vulnerable renters in our province. Legal clinics and other advocates tell us this section of Bill 96 is open to abuse and they've raised many, many cases of inappropriate and discriminatory treatment of tenants.

Part of the problem is that there is no benchmark for assessing whether or not a landlord is able to provide appropriate care. Without any requirement for a professional assessment, this decision is left up to the Ontario Rental Housing Tribunal. They have no expertise in whether care is appropriate or not, whether it can be provided or not. It's also ironic that when Mr Gilchrist was the parliamentary assistant to the Minister of Municipal Affairs and Housing, he gave assurance after assurance after assurance that there would be a formal role for community care access centres, but when the bill was tabled and passed, there was no formal role that exists. The changes that Lyn McLeod suggested last week would have redressed these things. They could have been in Bill 119.

It might be of interest to the drafters of these changes that these tenants are not even guaranteed the same rights as regular tenants, other tenants. Care home tenants do not receive a notice of termination; they can just be served a notice of hearing. Why not put through changes to give people real protection?

Here's another good idea: restore orders providing above-guideline rent increases where landlords are not in compliance with minimum maintenance standards.

1720

Finally, there has been a series of suggestions and recommendations from groups around the province that this act has to provide for emergency applications by tenants who have been illegally evicted or who face

urgent hazards to their health and safety. Why aren't those kinds of measures in this bill?

These are only a few of the issues. I could go on for quite some time, but let me sum up. These changes should be put in a separate bill for full debate by this Legislature. The changes that are in Bill 119 will only do one thing, which is deny access to Ontario's tenants. Let me once again express my disgust and disappointment with Bill 119.

The Acting Speaker (Mr Michael A. Brown):
Questions and comments?

Mr Kormos: Once again, Speaker, I've got to draw your attention to the betrayal of grape growers in Bill 119. Let's understand that they didn't have to repeal the Wine Content Act, because the Wine Content Act was sunset as of December 30, 2000. It becomes defunct in any event. But what they have done is betray the grape growers in Niagara region and across Ontario.

The fact is that the Wine Content Act permitted as much as over 70% of what was called Ontario wine to consist of cheap Argentinean or Chilean wine or American plonk, stuff that doesn't even warrant being drunk. The wine council, the big-bucks wineries—not the small boutique wineries that prevail in Niagara region and rely on support from this government by way of policies, but the guys who manufacture the stuff sold in the gallon collapsible containers with the little spigots—enjoy being able to use plonk from the States and to label their wine "Ontario."

This legislation gives cabinet the regulatory power to set the standard. The fact is, we don't need a standard. The legislation has to say that anything labelled Ontario wine is 100% Ontario wine. Anything less isn't acceptable, and anything less is an attack on the grape growers of Niagara, who have already been hard-strapped to make ends meet. They are already under incredible pressures.

Thank goodness for the Grape Growers' Marketing Board. Thank goodness for those hard-working vintners and grape growers who persist in their call for honesty in advertising and honesty in labelling. Mr Sheehan has driven a nail into the hearts and into the futures of these grape growers in Niagara. Shame on him and the Red Tape Commission.

Mr Wood: I'd like to thank the members opposite for their support of the parts of the bill they said they would support. I would, however, like to talk a bit about some of the complaints raised about the discretion given to adjudicators.

What we are, in fact, doing in the adjudicative area is streamlining the procedure, so we don't have procedures that aren't meaningful to the result. What we have in this bill are significant improvements to procedure. It's going to lead to better service in shorter periods of time. I would like for all who have a legitimate case before the tribunal—what it will not do, by the way, is involve delay that's not warranted. So those who are looking for delay from a tribunal are indeed going to be looking in the wrong place, and so they should.

I would, however, like to remind the House that any of these tribunals has to comply with both constitutional and legal requirements as a tribunal. Those basically come down to an unbiased adjudicator and procedural fairness. So this law has to be read in accordance with both the legal requirements and the constitutional requirements, which I am sure the members opposite are well aware of and understand but didn't have time to refer to in their submissions to the Legislature.

I think this is really indicative of a reluctance on the part of the Liberal Party to look at new and better ways of doing things. I urge the House to consider the proposition that if we don't do that, we are going to become uncompetitive and are going to lose investment and lose jobs. It really is important that investors understand that we do get it, we are into the 21st century and they're going to receive 21st-century service from the government of Ontario, as are all our citizens.

Mr Richard Patten (Ottawa Centre): I'd like to comment on my colleagues' presentations. Particularly I'd like to address some of the points that have been eloquently brought out by the member from Don Valley East in looking at and addressing those parts of the bill that affect housing, especially affordable housing in Ontario today. As a member from Ottawa, with 0.7% availability of rental housing, we are literally facing a major crisis, and it will worsen. This is from a government that said, "We'll just allow the private sector to deregulate this whole area of housing and allow the private sector to get into producing housing, and this will solve the problem." It obviously hasn't. As Mr Ibbitson has pointed out in his article, "Harris's strategy for housing is a flop."

I remember the days when Al Leach talked about, "Once we unleash and deregulate, the private sector will come in and provide a haven and all the housing we'll ever need in this jurisdiction." The fact remains that it's worse. I'm told that in Ottawa the housing registry has increased threefold over the last two years. Who are the people affected? It's the people in the low-income or the low areas of rental housing. They cannot find rental housing. This exacerbates the situation. You have people doubling up, you have more people on the streets, and you have more people who are suffering. At a time when we have shortages, the private sector will not build low-income housing, and there's proof of that.

My colleague suggests that you take this section dealing with the whole area of housing and put it in a separate bill. I hope you have the courage and the guts to take this to hearings or take this to committee, so we can flesh out some of these things and not try to rush this through.

Ms Shelley Martel (Nickel Belt): In the two minutes I have, let me say the following: why don't we call this bill what it is, which is an omnibus bill? By the time we finish with it, it will have nothing or very little to do with getting rid of red tape. You see, when the government wants to hide some of the nastier things it wants to do to the public, it always goes forward with huge compen-

diums, changes to any number of ministries through various schedules. They try to have something so big that the public doesn't have time to get through it to see what is really contained in all this.

We have seen, with the many bills the government has moved forward, bills that have any number of amendments to any number of ministries, repeals of laws, changes to try to correct mistakes made in previous laws. But what the government has tended to do is slip in, in any number of ways, shapes and forms, changes that are really negative to people: changes that have nothing to do with creating jobs, as I heard the government members try to say here today, changes that have nothing to do with getting rid of duplication, changes that have nothing to do with getting us into the 21st century, but changes that have had a really profound, direct and negative impact upon people the government is supposed to be serving.

Do you know what? I suspect that before we're finished debate on this bill, we will find that Bill 19 contains many of those things as well. Some of them have already been referred to by my colleagues in the Liberal Party. Before we're finished, we are going to find any number of changes that dramatically, negatively impact upon Ontarians and have nothing whatever to do with bringing us into the 21st century. So I look forward to the debate, and I certainly hope there are going to be public hearings on this massive bill.

The Acting Speaker: Response?

Mr Caplan: I'd like to thank the members for Niagara Centre, London West, Ottawa Centre and Nickel Belt for their comments. I would like to start with the member for Nickel Belt, who I think quite rightly points out that the changes found in this bill are not matters of red tape. In fact, changing the definition of "landlord" changes one of the tenets in landlord-tenancy common law which has existed for hundreds of years. The member for London West, who is a legal mind of some repute, would say this is somehow streamlining. Give me a break. Frankly this is nothing more than an attempt to evict people at a faster rate.

On the comment from the member for London West, as far as streamlining, right now default orders are issued at a rate of about 60%. What more do you want? You want more than 60%, six out of 10, orders being issued and getting default orders, people not defending their rights? My God, access to fundamental justice is one of the fundamental democratic rights at least for Ontario Liberals, for Dalton McGuinty—maybe not for Mike Harris, maybe not for the member for London West, but I know and I hope and I pray that there are some members on that bench over there who believe in that kind of fundamental right: the right to defend yourself, the right to have access to justice.

1730

I'd also like to comment on my colleague from Ottawa Centre, who talked about the housing problem they're experiencing in Ottawa. It is one of the tightest rental markets, not just in Ontario but in all of Canada, and it is

a serious economic and social problem. This act and the changes contained in the Trojan Horse act, Bill 119, are going to make it worse.

The Acting Speaker: Further debate?

Ms Martel: Speaker, at the beginning of my remarks I need to ask for unanimous consent to stand down our leadoff because our critic, the member for Sault Ste Marie, is not here this afternoon.

The Acting Speaker: Do we have unanimous consent to stand down the lead for the New Democratic Party? Agreed.

Ms Martel: Thank you, Speaker, and thank you to the members of the House. I know they would have liked to hear me go for an hour. I'm sure the Minister of Community and Social Services would have appreciated it enormously. However, my colleague from Sault Ste Marie will be back later this evening and will look forward to participating in the debate when next this bill is called.

I want to do two things: I want to focus on the fact that this is an omnibus bill and that the government has tended to use omnibus bills in a way that very negatively impacts on any number of Ontarians, and I want to give some examples to show when the government has done that in the past and what the effects have been, first of all, on hundreds of thousands of people and, second, the impact on public safety. Then I want to focus on one of the schedules, in particular schedule P, which impacts on the grape growers in the province of Ontario. I'll be referring to a letter that my colleague from Niagara South has provided to me from some of his constituents.

Let me begin by saying that the government has tended to use omnibus bills—and this is one, to cover, to camouflage—to hide some really negative changes that will have enormous impacts on any number of Ontarians. Quite contrary to what the government members have tried to claim here this afternoon, that this Bill 119 is all about moving Ontario into the next century, that it's all about ensuring that we create more jobs in the province, that it's all about making sure we get rid of duplication and making sure we get rid of excessive government regulations, before we're finished we're going to see the same thing in Bill 119 that we have seen in about a dozen other of this government's omnibus bills: once you get a chance to go through the bill in any number of sections, with any number of amendments, or with any number of repeals of sections of bills or entire bills, in fact the government has slipped in many things that have nothing to do with duplication, nothing to do with jobs etc. It has everything to do with taking away rights and protections that people have had for a long time, putting their public safety at risk because the government has used some of these bills to off-load what their responsibility should be for public safety, putting at risk the ability of people to have some accountability back to their government, because any number of the changes are no longer subject to review of the Environmental Commissioner or the Ombudsman or any other officers of this assembly.

Before we're finished, after people have had time to fully review this bill, there is no doubt in my mind that

this bill as well will contain any number of sections that take away rights that people have had, that take away protections that people have had, that put public safety at risk, that probably generate more fees, which this government's Premier used to formerly describe as hidden taxes and used to condemn. All of those things will happen here, and we heard some of that referenced this afternoon.

Let me give you two examples of past government omnibus bills that have acted in that very way. The first omnibus bill this government ever dealt with was Bill 26. I believe its proper title was the Savings and Restructuring Act. It was the first major omnibus bill this government brought forward, and you will recall what it took for us to get some public hearings on that bill. Of course, the government wanted to ram it through under the guise of getting rid of duplication, under the guise of streamlining, and it took some major acts in this Legislature even to get some public hearings on that bill.

One of the things the government did through Bill 26 was to include a schedule that eliminated proxy pay equity. That had nothing to do with getting rid of red tape, it had nothing to do with getting rid of regulation and it certainly had nothing to do with creating more jobs, but it had everything to do with ensuring that 100,000 of the lowest-paid workers in the public sector, primarily women, didn't get the pay equity payments they were entitled to.

Members of this government will recall that it was our government that passed proxy pay equity, and the Liberals and the Conservatives spoke against that. The reason we passed the proxy pay equity bill was to guarantee that those people who work in the public sector, predominantly women, who are the lowest-paid, should be entitled to some fair compensation for the important work they do. Remember, the women we are talking about work in child care centres, looking after our children, whom we should be making a major investment in; they are people who work in nursing homes and homes for the aged; they are people who work in our libraries etc. They perform some of the most important public services on behalf of some of our most vulnerable Ontarians—our aged and our children—and this government through Bill 26, its omnibus bill, took away their right to get proxy pay equity. That was what was included in the bill.

Were it not for SEIU—I give them 100% credit. SEIU took the government to court over this issue after Bill 26 was passed and after many of their members lost their entitlement to proxy pay equity. SEIU convinced the Court of Appeal in Ontario that the government had discriminated against the lowest-paid workers in the public sector in this province by cancelling proxy pay equity for them. Because of the court decision, the government was forced to reinstate proxy pay equity to these 100,000 workers.

It's worth noting that the government still took a jab at these workers, because when they reinstituted proxy pay equity, they put a cap on the amount of payment they

would provide to those institutions which were then making proxy pay equity payments. By putting a cap on the payments the government makes to those outfits—usually non-profit corporations—they now have put those non-profit corporations in a terrible financial mess because those non-profit corporations are now going to have to find within their own salaries the mechanism to pay proxy pay equity.

My colleague from Niagara South and I were in Sudbury on Friday and we met with representatives from the VON, Meals on Wheels and the Canadian Mental Health Association, Sudbury chapter. The three of them, all non-profit agencies that provide excellent service to people who need it in our community, made a compelling case as to the grave financial situation they have been put in because this government refuses to fully fund proxy pay equity to their workers who need it the most.

What we saw in the government's first omnibus bill, and that's just one example, was a direct attack on rights, a direct attack on money that some of the lowest-paid workers in this province were supposed to receive as a result of our government passing proxy pay equity. Again, it had nothing to do with streamlining, nothing to do with getting rid of government regulations; it had everything to do with attacking workers who perform an important public service to some of the most vulnerable people in Ontario society.

1740

Let me give you another example. In 1996, Bill 54 was passed by this government. The bill was called the Safety and Consumer Statutes Administration Act, and through that act the responsibility for a number of safety-related statutes, including the Gasoline Handling Act, for example, was shifted, was transferred—better to say downloaded—on to an organization is called the Technical Standards and Safety Authority. Through that transfer or download, which is really what it was, there were a number of functions related to public safety that used to be administered by the Ministry of Consumer and Commercial Relations that were downloaded to what is a private, not-for-profit corporation that has a board of directors that is primarily made up of people from the very industries that are to be regulated. Some of the really important public safety functions that were downloaded from this government, that the government had assumed accountability and responsibility for, included, for example, elevator inspections, inspections of amusement devices, inspections of boilers, pressure vessels, fuels etc.

It was interesting that, when the government made that change at the time, they talked about how this bill was necessary to streamline all of these regulatory functions; that what the bill did was made it easier to deal with one single authority called the TSSA, which would deal with all of these regulations, which would do all of the inspections, which would deal with standards etc. It was described and portrayed as a bill that merely streamlined government regulations and law.

It was interesting that earlier this spring, in April 2000, there was a review done of that bill, Bill 54, and of

the authority that was established under it, this private, not-for-profit authority whose board of directors is made up primarily of people from the industry that's supposed to be regulated. It was interesting because there were three really significant conclusions that were made as a result of the review with respect to the impact the bill had, with respect to the offloading of government responsibility on to what has become, frankly, an unaccountable body, and also with respect to a conflict of interest that exists, or perceived conflict of interest, because of the makeup of the board and the industries that are regulated by it.

Three points were made: first, that the work of the authority has gone far beyond just merely the transfer or the downloading of administrative responsibilities. In fact, the transfer has resulted in almost all policy and technical expertise that used to be held with the Ministry of Consumer and Commercial Relations being downloaded to this authority. As a consequence, the ministry itself has lost any of the role it had, any of the capacity it had to really direct the authority, if it wanted to, about how standards had to be maintained, what standards had to be maintained, to ensure that those standards were being maintained, and that is especially true in the case of really serious public safety issues. So that was the first conclusion that came out of the review: by off-loading, the ministry had also off-loaded all of its responsibility, frankly, to protect the public interest.

Second, there certainly is a perception, and a real one, of a conflict of interest, and that is because the authority's board of directors is made up primarily of people who are supposed to be regulated by the very authority. What was more interesting is that neither the act itself, the bill that set up the authority, nor the operating agreement that exists between the authority and the ministry, nor the bylaws of the authority itself, make any comment about conflict of interest, do not provide any direction whatsoever to board members about how they are supposed to react and respond to decisions involving employers—their own employers—when those decisions and issues come before the board.

Clearly, when we're talking about protection of public safety, because this is what this board regulates, it's a concern that any number of board members might be in a conflict-of-interest position because they wouldn't want to take action against their employer, even though that was what their job was to be as a director on the board.

Third, and this was important as well, the offloading of this on to the authority also allowed it, as a private organization, to really escape the scrutiny of other officers of this assembly. Since the TSSA is a private, not-for-profit corporation, the Audit Act, maintained primarily by the Provincial Auditor, the Ombudsman Act, the Freedom of Information and Protection of Privacy Act, the Lobbyists Registration Act and the Environmental Bill of Rights do not apply to this authority. Why not? Why shouldn't they? But that is the case, so any of the officers of this assembly who would normally be looking at other applications of other provincial law

cannot provide any public scrutiny of this particular authority despite the important role it's supposed to play in protecting public safety.

So what the bill did was to transfer any number of government functions to a private, not-for-profit corporation, one that has had very serious consequences in terms of conflict of interest, accountability, scrutiny by important public officers of this Legislature. Although the government described it at the time as streamlining, getting rid of bureaucracy, getting rid of duplication, it has really turned out to have some very serious, enormous consequences.

We are going to debate Bill 42 tonight, which is kind of part 2 of Bill 54. That particular bill was a follow-up on the 1996 legislation in that it is supposed to give the authority even more ability to take advantage of what the minister has described as new innovations in safety equipment and technology. This was the same minister, frankly, who suffered some very serious consequences as a result of recommendations made as a result of the death of a young man, Mr Jerome Charron, at the Ex in August 1998 on a bungee-jumping ride. This is the same bill, this Bill 42 that we will be dealing with tonight, that came from another bill where the government off-loaded all of its responsibilities. So we see that the previous bill and its incarnate, the second one that we will be dealing with tonight, have nothing to do with streamlining but everything to do with off-loading government responsibilities, which frankly puts the public at risk.

If you look at Bill 119, I want to read into the record a letter that we've received from the Ontario Grape Growers' Marketing Board. They have written because they are extremely concerned about schedule P in this bill. Schedule P primarily repeals the Wine Content Act, which was passed in 1988, and establishes a new act called the Wine Content and Labelling Act. It's interesting that the government has talked about jobs and how this bill is necessary to create jobs, because as you listen to my reading of this letter you can tell that this is a group that is particularly concerned about jobs. They don't see anything in this bill or in schedule P that's going to help them with respect to that.

This is written by John Neufeld, the chair of the Ontario Grape Growers' Marketing Board. It's dated yesterday, October 10, 2000. It says as follows:

"The replacement Wine Content Act is being included in Bill 119, which had its first reading on October 4th...."

"Growers are concerned. The replacement act merely continues the provisions of the act of 1988, which were a response to free trade provisions...."

"We are concerned that wines with only 30% Ontario content will continue to be sold in the Ontario Winery Retail stores which by their nature were intended to promote Ontario agri-products. Now the practice of selling wines that are predominantly foreign and imported at surplus, distressed prices will continue to be retailed in Ontario Winery stores by the mythology of labels 'Cellared in Canada.' Does anyone know what that means?..."

"Growers have pressured for the new act"—the one we are dealing with today, schedule P—"to be patterned on federal standards with a minimum of 75% Ontario—or Canadian—content in each bottle. Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by vineyard owners in places like Chile and Argentina and by the major corporations who operate most of the wine retail stores with benefits of keeping LCBO markups and other charges. These benefits surpass \$50 million a year in add-on gross profits for these corporations, in addition to tax reductions on sales via their own stores.

"We seek your support in securing fair and open debate on the Wine Content and Labelling Act, 2000."

1750

I don't know if this government intends to have some public hearings on this bill. I certainly think they should. I think they should just on the basis of this letter that we received from the Ontario Grape Growers' Marketing Board because there's nothing in this letter to suggest that Bill 119 is going to be responsible for creating more jobs in Ontario. There's nothing in this bill that suggests the duplication the government wants to get rid of is going to be a good thing for these folks. There's nothing in this bill that gives me any sense that this association and the grape growers in this province, particularly small, family-owned wineries, are going to be protected by this government through this bill. On the contrary, as far as I can tell in reading the contents of this letter, they've got some serious concerns. They're going to be affected detrimentally by this bill. There isn't anything positive in this bill for them.

That's just one of the reasons why we need public hearings on this bill. As I said earlier, there's going to be any number of sections that come back to bite us. That's why we need some public hearings to get a full airing.

The Acting Speaker: Questions and comments?

Mr Wood: I draw to the attention of the member who just spoke that labelling standards are national. I think to the extent one has concerns about labelling standards in Ontario, they should make their case at the national level. We agree that those standards should be national, not confined to one province.

When we talk about the wine industry in Ontario, it's rather interesting to note that Hugh Johnson, one of the leading experts on wine in the world, considers Ontario to be one of the three best wine-making regions in eastern North America. It's rather interesting that our VQA sales are way up. Our wine industry has made dramatic progress, both among our own consumers and among consumers outside Ontario over the past dozen years or so.

I'm rather surprised our friends in the New Democratic Party aren't listening to the citizens of Ontario who enjoy wine and the citizens of other jurisdictions who enjoy wine, because they're speaking with their money. They have confidence in our industry and they're buying our industry's products in record amounts. I'm rather

surprised to hear the lack of confidence in our industry from the NDP.

We heard some comments about self-regulation or delegated regulation. We at the Red Tape Commission think that's a very good idea in the right circumstances. The standards are set under a memorandum of understanding with the minister which governs what has to be done. It's entirely accountable through that process. We find that where it's done right, there are some great advantages. The entity gets into prevention rather than merely reacting to problems. The various concerns that have been raised are all subject of course to the legal and constitutional requirements of any tribunal. I think the idea is a good one. We're certainly enthusiastic where it's done in the right circumstances.

Mr James J. Bradley (St Catharines): I note in this, and the member for Nickel Belt has noted most appropriately, that hidden inside this bill—because there are so many things that are hidden inside these omnibus bills, in this case an omnibus red tape bill—is something that is extremely concerning to farmers in the Niagara region, and I'm sure along Lake Erie, in Essex county and Elgin county, because the Wine Content Act is something they would have expected to see as an independent bill so we could hear appropriately from both sides. Farmers are concerned that the content of the wine that is found on the shelves of the LCBO is in fact not the Canadian content we want to see. The Wine Content Act is a vehicle to be used appropriately to determine how much foreign content there can be in those bottles of

wine. There are many people now who are selecting, for good reason, first of all, the high-quality wines that are made in the province of Ontario, that are from the grapes of the province of Ontario, that are made by wineries in Ontario.

I think all of us in this House are supportive both of those who are running the wineries in terms of their sales and of the farmers who produce the grapes. But if farmers are in a position of trying to sell their grapes and they have to compete with people in Chile, as an instance, because Chile is a major competitor, south of the border in the United States or in other jurisdictions, if they have to compete with those grapes and you walk into the LCBO and find wine that's in there that everybody thinks is Canadian—in other words, for an Ontarian to be parochial, a product of the province of Ontario—and it indeed is not, they're going to be very concerned.

I want to tell members of this government that over the years they have enjoyed considerable support from those farmers. One need only look at the polls at election time to see that the government has indeed enjoyed some considerable support. I think based on the fact they thought they would get at least a fair shake with the Wine Content Act. They're very concerned about it. There's no question this bill has to go to committee for public hearings so they can express those concerns themselves.

The Acting Speaker: It being six of the clock, this House stands adjourned until 6:45 of the clock.

The House adjourned at 1756.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Wednesday 11 October 2000

Mercredi 11 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 octobre 2000

*Report continued from volume A.
The House met at 1845.*

ORDERS OF THE DAY

TECHNICAL STANDARDS AND SAFETY ACT, 1999

LOI DE 1999 SUR LES NORMES TECHNIQUES ET LA SÉCURITÉ

Resuming the debate adjourned on June 19, 2000, on the motion for third reading of Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries / Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: I'm requesting whether there's a quorum.

The Deputy Speaker (Mr Bert Johnson): I'll carry through that process. Would you see if there's a quorum present?

Clerk at the Table (Mr Todd Decker): There is not a quorum present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Hamilton West.

Mr David Christopherson (Hamilton West): Thank you, Speaker, and I'm pleased to finish the five minutes I have remaining on this bill. But it's interesting to note that the government was all fired up to sit in the evenings and now we have to drag the government members in here, kicking and screaming, because it would seem they don't want to work. It's one or the other, you know. Either you want to work or you don't want to work. You've got a majority; make up your minds.

I was reviewing Hansard to see exactly where I left off, because we last debated this on June 19, and I was struck by the fact that I commented much like other members had; there's nothing unique about what I said. However, I would draw to your attention that I said on that day, on June 19, before the summer, and I'm quoting from Hansard, "Through you, Speaker, I can only imagine how the chief government whip"—I was responding to something the chief government whip had said in the

House—"would feel when, upon hearing that someone has been hurt, particularly a child, on an amusement ride, or perhaps that people have been hurt in an elevator, and that he in this place, talking about this change, made reference to the tags that are on mattresses. I really think it shows a disrespect to the importance of regulatory bodies and regulatory legislation."

That was June 19, and over the summer we unfortunately did generate the very types of headlines I was concerned we would see. Are these directly attributable to privatization? I don't know. But it certainly would seem just a little suspect, especially given the concerns people have about what was privatized around the Walkerton water disaster. August 25: "Girl Hospitalized After CNE Ride," "CNE Mishap Sends Teen to Hospital," and further a whole story about safety at the CNE.

1850

Our concern in the NDP caucus is that this is just the beginning. The government members in this place this evening know that it's not just us. There was an independent, arm's-length, for many of us in this place, analysis by academics and experts in the field, who presented a report called *The New Public Management Comes to Ontario*. They said, about your new Ontario Technical Standards and Safety Authority: "The accountability framework established by the government of Ontario for the delegated administration authorities is significantly weaker than that provided in other jurisdictions, including the United Kingdom, New Zealand, Alberta and the government of Canada." There are serious concerns.

Again, is it just us? Because that's what you love to do, is say, "Well, it's just you over there in the NDP who have these concerns." First of all there's the academic side of it. Arm's-length expertise has looked at this as a governance model and compared it to other models and shown major weaknesses. Surprise, surprise.

Further to that, I've got a copy of a letter addressed to the minister, and I'm sure members of the government have it across the way. It's dated September 6 of this year. It is from the Independent Elevator Contractors' Association. They say, in part, "To allow any organization, TSSA or other, that affects public safety to be removed from the control of the legislative body would be potentially undemocratic, unrepresentative of the people in the industry it represents and potentially dangerous." That's from the Independent Elevator Contractors' Association.

How much more do we need? We've got injuries, we've got academic and expert analysis, at arm's length

from all of us here, and we've got some of those people in the private sector who would be part of this regulation. All of these things point to, "Don't do it." But I fear that once again we're going to feel the wrath of the majority government of Mike Harris, yet again to the detriment of the people of Ontario.

The Deputy Speaker: Comments and questions?

Mr Doug Galt (Northumberland): As usual, I'm quite amused by the member from Hamilton West. He's an extremely effective speaker, but I thought it was kind of interesting that he zeroed in for a while on tags on mattresses. I don't know why he was poking fun at something as important as the quality—a collapsed mattress is a disastrous situation, or a spring that may come through. But certainly, he made light of something as important as the safety standards as they would relate to a quality product on the market such as that.

This is quite an important bill, as we look at some of the amusements and what's required to be controlled there, the safety and standards that come in there. We can't make light of the fact that some people have been injured in the past; some have even been killed bungee jumping. I personally think this is something that's pretty serious, to ensure that these bungee rides are in permanent establishments, rather than something that's quite mobile and more dangerous. These are some of the things that this particular bill is going to do.

The member from Hamilton West certainly understands that and has some appreciation for this particular bill, particularly from some of the positions that he held in the past. I respect where he's coming from. I also respect some of the debate that we had in this House back in June. The parliamentary assistant, the member for Durham, has led the debate here very capably and has been guiding this bill through the Legislature. I look forward to its passage with its increased standards and safety here in the province of Ontario to ensure that we are protected with some of the amusement rides, particularly the ones such as bungee jumping.

Mr Dave Levac (Brant): I want to rise to support the member from Hamilton East—

Mr Christopherson: West.

Mr Levac: West; sorry, wrong spot—in the concern he's expressing very clearly about the safety of the citizens of Ontario.

As the bill has been put forward, we've heard time and time again that that seems to be the number one priority of all members on this side and on that side. No one is suggesting for a minute that none of us is concerned about the issue that's being raised. The member from Northumberland tries to have us believe that this in-depth study of this bill is going to be put forward with no recommendations of change.

Might I suggest to the member opposite that in our first kick at this cat in trying to explain the folly of Bill 42, great pride was taken and expressed in a letter to my constituent, who rose to the occasion of Bill 42. He, being in the business, pointed out the folly, some of the problems that Bill 42 has brought to light. It was

suggested in a response from the minister, at that time Mr Runciman, that 50% of the members who were doing the inspections were certified—50%. There was great pride taken by the members opposite in saying, "We've got these certified workers out there who are doing the inspections"—50% of them. What we tried to point out and were kind of fluffed off very quickly, kind of hide your head in the sand on this one, 50% means that 50% of those people doing the inspections are not qualified and certified to do those inspections. Not having those qualifications and certifications to do the inspections is a very scary thought.

Mr James J. Bradley (St Catharines): I expressed in the second and third readings of this bill, when I had an opportunity to speak, my great concern about the trend it continues. I won't say the trend it sets, but the trend it continues, because more and more we're having this government place the fox in charge of the henhouse; that is, those who have a close connection to what is being supervised, and perhaps have a vested interest, are those who are now doing the supervising. I think somebody who is arm's length, an agency which is totally arm's length, is much more appropriate.

Governments in the past have assessed for these purposes. I think, for instance, of when we had a fund for people who are on vacation and some fraud took place or somebody went bankrupt. There was a compensation fund which everybody paid into—I would say that was all the people who were in the business—and people were covered. I believe we've taken that away now and we've got something out there that the organization itself is supervising. I think it's better to have some distance.

In specific cases of the inspection of rides, because that's exceedingly important to the Ministry of Consumer and Commercial Relations, for instance, I feel that there would be far less of a risk if we had the government agency which in the past was in charge of this doing the supervising and the inspections again, just as I believe the government will be making a mistake if it continues its trend towards the privatization of water in this province. Today, as you know, Dalton McGuinty, the Leader of the Opposition, revealed that this government is on its way to privatizing water services in this province. In light of what we've seen happen in Walkerton and other communities, I know we would not want to turn that over to the private sector, but maintain that in public hands, owned and operated by the people of this province.

The Deputy Speaker: The member for Hamilton West has two minutes to respond.

Mr Christopherson: My thanks to the members from St Catharines and Brant, who talked about the safety aspects of this. I think it's pretty clear that's what's driving all of us in terms of the concerns we have.

To the member from Northumberland, I thought it was going to be a unique evening when I saw him working there with a pink highlighter earlier. I thought, "something's going to happen this evening that's not expected," and there I was, in the first couple of minutes he hands me a gift: he stands up and he ridicules me for raising the

issue of tags on mattresses. But as is often the case with the Tories, when you scratch the surface, you find out a whole different truth underneath.

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Lo and behold, on June 19, when last we debated this, it was the Honourable Mr Klees, the chief government whip, who raised the issue. I indeed was responding to his comments. His comments at that time, I would say to the honourable member, were as follows: "Bill 42 is the end of that because the government is finally getting out of the business of sticking labels on to mattresses. As a result of that, people from across this province will have the opportunity to have a sound night's sleep without the guilt of removing those labels."

In and of itself, that would be funny. My comment at that date and the reason that I read the Hansard—and I didn't read all of it; prior to that I acknowledged that the honourable member, I believed, indeed was an honourable member of this place. I was saying that I wondered how he'd feel if that comment he made in the context of the debate on this issue, which is public safety—if this were to follow, and that's exactly what happened. Our continuing fear here is that by privatizing, we're going to see more and more headlines like this, and for what?

The Deputy Speaker: Further debate?

Mr Galt: I'm certainly pleased for the opportunity to speak about the government's many initiatives in meeting its responsibility in the area of public safety and in technical standards.

Just a little bit of a response, Mr Speaker, if I may, to the last presenter, from Hamilton West, talking about tags on mattresses and how one of our caucus has one opinion and another has a different opinion. At least in our caucus it isn't like a group of seals who sort of all get together and do the same thing. We think individually and work together as a team. It's a significant difference from the other caucuses that sit across the House from us.

Earlier this year, the Ministry of Consumer and Commercial Relations, sometimes referred to as MCCR, adopted a new and tougher safety code for the operation of amusement devices in Ontario. This code was based upon standards that were recently developed by the respected American Society for Testing and Materials, generally considered to be the most advanced code for amusement devices in the world. The MCCR commissioned an independent review by the Canadian Standards Association of the new code against the existing safety standards for amusement devices. It was determined that the new code would raise the bar for safety and a decision was made to adopt it on a temporary basis under the Ministry of Consumer and Commercial Relations Act.

The ministry is also taking many other steps to improve public safety. That's been all across the board for our government looking at public safety. Whether it be on the highways or building centre barriers, public safety has been number one for this government. Among them is the implementation of some 29 recommendations for improving amusement device safety that were issued in

June of this year in a report of the chief coroner of Ontario. The recommendations followed from a coroner's inquest into the tragic death of Jerome Charron, a young man who was killed in 1998 in a bungee-jumping accident in the Ottawa area. We all recalled hearing about that death and were quite devastated by it. The ministry and the TSSA have recently sent an interim response to the coroner's office reviewing progress that has been made on those recommendations. I think everybody in this House is very pleased to realize that in that report of some 29 detailed recommendations that were made, we are now pursuing some 28. They've either already been implemented or are being put in place for the next year's carnival season.

In working to enhance amusement ride safety, it is vital to keep in mind that the main cause of accidents—more than 90%—is human error, either on the part of the ride operator or on the part of the rider themselves. We recognize human error is a responsibility of every individual, and certainly we think of a lot of serious human errors that have happened in our world. The sinking of the Titanic is one that very quickly comes to mind; certainly many of the plane crashes are human error. I think about the voting back in 1990, when we elected an NDP government. Obviously that was a big human error that occurred here in the province of Ontario.

MCCR is taking the necessary operational steps to raise the bar for public safety here in Ontario. One initiative the Ministry of Consumer and Commercial Relations has undertaken since the inquest into young Mr Charron's death involves the types of rides permitted to operate in the province. On July 5 of this year, strict new design requirements for the operation of bungee rides were announced by the Minister of Consumer and Commercial Relations. These standards ensure that bungee rides without permanent installations will not be able to operate in Ontario.

I said earlier that the ministry had implemented or was in the process of implementing 28 of the 29 Charron inquest recommendations. For example, one of the recommendations states that responsibility for amusement device investigations should be returned to MCCR, and in situations involving serious bodily harm or death, the local police should take the lead role in the investigation, rather than the Technical Standards and Safety Authority, which is responsible for the day-to-day administration of Ontario's safety laws.

Police involvement is already something that currently happens as a matter of course when a fatality occurs. However, TSSA's administrative agreement has been amended to require a formal protocol which will ensure the involvement of a government body or law enforcement agency, aside from TSSA, to assist with the investigation of serious incidents or fatalities. This will also serve to ensure the avoidance of conflict of interest. This protocol will require the approval of the Minister of Consumer and Commercial Relations and will be attached as a schedule to the administrative agreement.

TSSA's administrative agreement with MCCR has been strengthened in other areas as well. As members are aware, the Premier released the government's fall action plan to this House on September 25. He addressed the issues that are most important to Ontario families, and better environmental protection, public safety and public health were high on that list.

In keeping with the goal of achieving better environmental protection, TSSA's administrative agreement has been revised to make direct reference to TSSA's obligation to protect the environment as well as public safety and public health. The administrative agreement has also been changed to require that TSSA board members be subject to a code of conduct to ensure that no members ever put personal business interests ahead of the interests of the administrative authority. The Minister of Consumer and Commercial Relations will be responsible for approving this code and it will form a schedule to the agreement.

The final recommendation of the Charron inquest talked about the composition of the board of directors of the Technical Standards and Safety Authority. This matter, and many other issues around the responsible oversight of TSSA and other administrative authorities that report to the ministry, is the subject of an independent evaluation that is being tendered as we speak.

When the first administrative authorities were created in 1997, the then Minister of Consumer and Commercial Relations promised the people of Ontario that once the not-for-profit corporations had been in existence long enough to have established track records, their performances would be evaluated. That promise is being kept. MCCR's evaluation will look into how effective administrative authorities have been in meeting their responsibilities to administer the legislation, and will also assess governance and accountability mechanisms to ensure that they are appropriate to preserve and protect the public interest.

I know that the honourable members of this assembly are familiar with a Canadian Institute for Environmental Law and Policy report on TSSA. That report made a number of recommendations, and some have already been responded to by the ministry. Most of the issues raised are those under consideration as part of the ministry's evaluation of the administrative authority model.

I would like to express appreciation for the time and effort that went into the preparation of the report and to say that its recommendations on issues related to improving the governance and accountability framework have been added to the list of issues we have asked the independent consultant to evaluate.

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Indicators to date suggest that TSSA is doing a fine job. The authority has increased inspections by almost 25% since it took over, and TSSA's financial investment in public safety has also increased dramatically. Nevertheless, where public safety is at stake, we must work constantly to improve performance.

With the implementation of these many safety improvements, I'm pleased to move the resumption of debate on the proposed Technical Standards and Safety Act, 1999, for third reading before this assembly. This bill would help the government to ensure that the highest possible public safety standards are in place in Ontario. Bill 42 unites the province's seven technical safety laws into one consolidated piece of legislation. This would provide for consistency in the administration of training and professional development standards for professionals across the board. It would also result in stronger uniform maximum penalties for non-compliance.

Input from the official opposition at the standing committee in June, for which I am grateful, has resulted in a proposed doubling of the maximum fines for offences under the act for individuals, from \$25,000 to \$50,000; and a planned tenfold increase in fines for corporations, from \$100,000 to \$1 million.

The Deputy Speaker: Comments and questions?

Mr Alvin Curling (Scarborough-Rouge River): I want to comment on my colleague from Northumberland. I listened to him very carefully and I listened to his sincerity. I think he's extremely sincere in what he's doing, and that's good. The frightening thing about it is that he's so misguided.

This is the same government that wants to cut out red tape. Looking at it, you would believe that immediately individuals would feel that they'd like to reduce it so it's manageable. They are doing the reverse. They are creating more red tape. Moreover, we just completed debate on a bill earlier on, and here we are again debating another bill that will create more red tape within this government.

The other aspect that is so frightening is that we have self-regulating associations. This government of course abdicates responsibility almost hourly. Each time they stand up here they make apologies, whether the blame is on the feds, the blame is on the municipality, the blame is on teachers, and they don't take any responsibility. Right now they abdicate their responsibilities to other associations which are self-regulating. The fact is that when they've passed these kinds of regulations and they've passed on these responsibilities, they don't even give sufficient funds for that.

I have great concerns about many of these professional associations because sometimes they block individuals who would like to perform effectively and they become elite clubs, and they really should be managed by government. So what we're going to have is more red tape in trying to get access to what you want effectively to do.

So with your sincerity, I doubt it very much. How misguided it is.

Mr Christopherson: Once again the member for Northumberland provides an embarrassment of riches upon which to comment and only two minutes to do it in.

I would bring to his attention that there's a whole other aspect to this that he either refuses to bring forward or he blindly just looks away, kidding himself. But I'd like him, during his two minutes if he could, to maybe

just touch on how he feels that it's in the public's interest and how safety is enhanced when, as a result of privatizing all these public safety inspections, the following laws no longer apply. I'd like him to tell us how he thinks that's helpful to the public. Because they're privatized, the inspections that are being conducted and the whole infrastructure around them are now no longer subject to the Audit Act, the Ombudsman Act, the Freedom of Information and Protection of Privacy Act, the Lobbyists Registration Act and the Environmental Bill of Rights. So when we privatize, it's not just this whole business of, "Hey, we can save a few bucks and therefore it's a good thing and we ought to do it." There are a lot of implications, as we're learning in the Walkerton disaster.

These are a number of the pieces of legislation that are currently in place to protect the public or to give the public rights. As a result of privatizing these safety inspections, those rights are now obliterated from public awareness and the public's legal right to have them enforced. I would really appreciate it if the member from Northumberland would explain to me how no longer having these pieces of legislation apply to safety inspection is somehow beneficial to the public.

Hon Chris Stockwell (Minister of Labour): I'd just like to compliment the member from Northumberland on his speech tonight. I thought it was well researched and interesting. Obviously, it measures up to his standard in the past.

I think the members opposite should understand that in today's society and in many jurisdictions around this world, self-regulation is a way of life. There are many self-regulating bodies and agencies around. For instance, we've gone through many years in this province where many jurisdictions and areas were self-regulated. Think of the legal community and the doctor community. A lot of these agencies—and can you think of anything more important than doctors?—have been self-regulated over the last number of years. They are professionals. They understand the industry. To suggest for a minute that somehow they would compromise their ethical standards simply because they are self-regulating I think is unreasonable, unfair and really unflattering to those industries.

There are other industries in the past that have started to self-regulate.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): The insurance brokers.

Hon Mr Stockwell: The insurance brokers are a good one. Real estate agencies have become self-regulated, and social workers. These are good-quality, high-performance people who live in our province, who have the ability, the ethics and the morals to self-regulate. What it's saying is not so much that government is the only one that can do it, but that a lot of times in these self-regulating circumstances they are better at doing it than the government.

Another point that needs to be made, on the amusement side of things, is the rides and self-regulation. Much of the time the work wasn't getting done because of the

restrictions put in place by governments—not just this government but municipal governments—as far as inspections were concerned. This could be a very important way of doing it.

I understand the member from Hamilton doesn't agree with this, and I know your party doesn't agree with any of these approaches, but it doesn't really matter. The public does. If the public supports it, if they believe in it, then I think it's a good idea.

Mr Bradley: I was glad to hear the view from the outback. It was rather interesting to hear the Minister of Labour intervene in something of this nature. But I want to recall that the government is involved in more privatization than we see in this piece of legislation. I'm worried that the Ministry of Consumer and Commercial Relations is virtually annihilated or dismantled, and that they're going to wrap it into some other ministry. The reason I'm worried is that there are now so many people with consumer problems who require the intervention of government, of their elected representatives, to assist them in some way or another. I think every time the Ministry of Consumer and Commercial Relations yields yet another piece of its jurisdiction, the government is at greater risk. That doesn't guarantee either way that we're going to have a disaster or that all will be perfect. The point I always make is that it increases the risk.

Second, I see privatization now in the field of electric power. The Minister of Energy brought in a bill. He appears to have abandoned that piece of legislation. Apparently he ran into a hurricane the other day in Mississauga, Hurricane Hazel, and now he tends to back down from that piece of legislation.

In our community, I know one of the number one issues in the municipal campaign is going to be the effort of the right wing in particular to privatize our hydro-electric commission. There was a major effort made; many people were advancing the cause of privatizing hydro. They could see all this money going in, so they wouldn't have to give a tax increase in the area. The Minister of Energy was concerned about this. He appeared to be—

Hon Mr Stockwell: How is the GM expansion in St Catharines going?

Mr Bradley: I will get to that later.

He appeared to be standing up to this initiative on the part of some. This whole idea of privatization will be a big issue.

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Mr John O'Toole (Durham): The member for Northumberland does get a chance to speak again, for about the fifth time today, but we'll overlook that.

This is a very important act. I should draw to the members' attention that during the full course of public hearings both the Liberal and, I believe, the NDP positions were without remark actually in terms of some issue with this bill. There were some other dynamics that came into play after it left second reading and public hearings. I would say that if you check the record, most will say they saw the sense of combining seven acts, as has been

mentioned here, and the logistics of administering the issues of public safety under one act. There was nothing on the record that I can recall that was in any way critical. Without putting words in their critic's mouth, I'd say they were supportive of the legislation as it was coming out of second reading. There were other things that took place in Ontario that for political reasons, I believe, caused them to move away from the bill.

If you look clearly at sections 4 and 5 of the bill, there are provisions for appointing directors and inspectors to supervise and inspect activities in the technical standards industry. I can tell you, as the assistant to the minister, that there is still a considerable amount of oversight from the minister's perspective as well.

I'm sure the member from Northumberland will be responding to the member from Hamilton East—

Mr Christopherson: West.

Mr O'Toole:—Hamilton West. How come when Stockwell just says "Hamilton," you don't respond to that, but when I say it, it's "West." It's clear you don't represent the interests of all Hamilton, just Hamilton West.

I would say that this bill has been the work of more than just the current government. This bill was well underway in terms of providing an oversight body called the TSSA to enforce and regulate public safety issues.

The Deputy Speaker: The member for Northumberland has two minutes to respond.

Mr Galt: I really enjoyed the responses by the Minister of Labour and the member for Durham. There was excellent content in their responses. The other three in opposition—the members for Scarborough-Rouge River, Hamilton West and St Catharines—leave a lot to be desired in their comments.

Talking about red tape, it's obvious that the member for Scarborough-Rouge River does not understand what red tape is. Red tape is useless regulations; it's regulations that get in the way. But there are quality regulations that are needed to regulate the country, and I don't think you recognize the difference. But I don't think most Liberals recognize the difference, so you're certainly not alone over there in your caucus.

I would just like to read a couple of other things into the record. The placement of details, technical standards and codes of regulation where they could be updated quickly is perhaps the most important feature of this proposed legislation. At this time I want to reinforce to this assembly that there are many safety improvements that are contingent upon the passage of Bill 42. For example, recommendations contained in the Charron inquiry report regarding the development and implementation of new training and certification standards for amusement device mechanics, operators and attendants would require passage of Bill 42 before they could be made legally binding.

That is why I am calling on the honourable members of this assembly to support the passage of Bill 42. I urge all members to support this bill, enabling the government to raise the bar on public safety for the people of Ontario

through adoption of a more responsive, efficient and effective legislative framework.

The Deputy Speaker: I want to apologize. Sometimes I get caught up in the process of things, and I allowed five responses when there should only have been four. When I think of a suitable punishment for myself, I'll mete it out.

Further debate?

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I understand I have the agreement of the House to split this 10 minutes with my colleague from Don Valley.

Interjections.

The Deputy Speaker: Agreed.

Mr Duncan: Thank you. I listened attentively to the Minister of Labour when he spoke about the purpose of this bill being who regulates best. In fact the purpose of the bill is contained in section 1. The government suggests that through this bill it is going "to enhance public safety in Ontario." We fundamentally disagree with that on a whole range of fronts.

Let me address, first of all, the substantive issue about government regulation versus self-regulation and where it is appropriate to have government regulation versus self-regulation. The Minister of Labour suggested a number of professions that self-regulate. For a number of years, there was a very limited number of professions. There were very high standards to become part of the profession and there were a number of checks and balances within that. Finally, those being regulated was a relatively small number; for instance, doctors, lawyers and accountants. In recent years we've added social workers, after much discussion.

What we're talking about in this bill is a number of statutes. We're talking about amusement devices, boilers and pressure vessels, elevating devices, hydrocarbon fuels, operating engineers and upholstered or stuffed articles. Those types of products that are in the market, generally speaking, have large markets.

Interjections.

Mr Duncan: There are a lot of people who participate in those overstuffed debates—

The Deputy Speaker: Order. My late mother-in-law would suggest, because she taught up to grade 5, that sometimes it's better to let the kids laugh. They're going to do it, so let them laugh. Have your laugh and then I'll call on the member from—

Interjections.

The Deputy Speaker: Is that OK? I recognize the member for Windsor-St Clair.

Mr Duncan: The point is, and it isn't a laughing matter because it's a very serious issue, how do we best regulate? How do we ensure the utmost in public safety? My colleague from Don Valley will be addressing the question and addressing some very specific examples of where self-regulation doesn't work. While it may be a matter of humour to the government side on these issues, we think it's a very serious issue.

Earlier my colleague from St Catharines spoke of the fact that this is not the first set of deregulating, of removing safeguards, because we believe the act does not fulfill the commitment of the act in its first section, and that is to improve public safety. We think quite the opposite. We think it's a spurious argument to compare the regulation of medical doctors or lawyers or accountants with the regulation of everything from elevators through to boilers in this province, through to amusement rides and amusement parks, items that don't easily lend themselves to self-regulation, where there are not enough checks and balances within the system and where we believe it's prudent for government to regulate. We suspect too, by the way, I should say, that this bill itself will lead to a whole other set of regulations to effectively regulate the regulators. We suspect that at the end of the day the government will replace one code or one set of standards with yet another.

The government members opposite indicated there has been some sort of rethinking on the part of the opposition about this bill. I say to that member, absolutely. We have looked at this very carefully in the context of Walkerton and in the context of other situations that have come to our attention, and we believe that at the end of the day while we agree—I think everybody would agree—if there is a redundant regulation that can be eliminated, then it should be, the question comes down to, what constitutes that? My colleague from Don Valley will speak of one situation of a number we've identified that raises this point.

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Mr Caplan: This is a very serious act and I'd like to highlight perhaps the pitfall the act will lead us down the road to.

There was a recent coroner's inquest into the untimely and unfortunate tragic death of a young man by the name of Jerome Charron. At that coroner's inquest, the Technical Standards and Safety Authority was very clear. They indicated they do not do an inspection of every amusement ride at a fair or an exhibition. The TSSA only conducts spot checks. Many exhibitions do not conduct independent tests of their rides because they've been advised that the Technical Standards and Safety Authority has undertaken this responsibility, but a former manager at the TSSA indicated that the standard inspection that should have been applied to this case in Ottawa, the case of Jerome Charron, did not happen, that every piece of equipment should have been individually inspected.

Every amusement device must be supported by both a licence and be registered. There may be conditions associated with the licence. In this particular case there were conditions when the licence was obtained back in 1995. The operator, however, was not aware of these conditions. In this case, which led to the death of Jerome Charron, the conditions applying to the licence were as follows: (a) every time equipment was erected, it had to have an engineer check it; (b) the engineer had to certify it was safe for use each and every time; and (c) the erection of the equipment was to be supervised by the

manufacturer of the equipment. After the equipment was built in accordance with the conditions attached to the licence, a field test had to be conducted and an inspection had to be carried out and the permit would then be issued. The permit may or may not, but it usually does provide for correction of any deficiencies.

In this particular case, Anderson Ventures was the company that owned something called a Rocket Launcher bungee ride. A fellow by the name of Mr George Gordon, an independent engineer—this is all public knowledge from the coroner's inquest engineer—and Mr William McLardy, an independent engineering consultant, and Gord Kanani, an engineer with the Technical Standards and Safety Authority, all worked together at the branch when it was at the Ministry of Consumer and Commercial Relations prior to the transfer to the new association. Currently, Mr Gordon still sits on the TSSA advisory council.

Anderson Ventures, the company that owned the amusement device, retained Mr Gordon to certify the ride upon application for a licence and for registration of the ride. Mr Gordon certified the ride in 1995 as a member, as staff at the Ministry of Consumer and Commercial Relations. The ride had to be recertified for use in 1998 and Mr Gordon was again called on to assist in certifying the ride's safety.

On August 20, 1998, Mr McLardy, an engineering technician, conducted a field test for Mr Gordon, the professional engineer who certified the ride for public use. On the basis of the field test, Mr Gordon certified the ride as safe, despite the fact he had not seen it in person. Mr McLardy said he would never have approved the strap thought to have caused the accident had he seen it during the field test. There was an exchange of faxes and the engineering stamp "pre-approved" was filled in.

The TSSA inspector who examined the Rocket Launcher at the Central Canadian Exhibition in Ottawa was uncomfortable looking at the ride and called the head office for backup. Another TSSA inspector assisted. Neither inspector had any experience whatsoever with bungee rides. As a significant aspect of the inspections, one of the fellows testified he didn't completely understand the engineering principles. He said under oath that he relied heavily on the technical dossier to determine the ride's safety. The technical dossier was a missing document included with the original condition placed on the ride.

You can see there was a comedy of errors that led to the untimely, unfortunate and tragic death of Mr Jerome Charron. That's what's at stake today in the debate on this bill.

The Deputy Speaker: Comments and questions?

Mr Christopherson: I compliment the members for Windsor-St Clair and Don Valley East. I know that along the vein of the issues they were raising—we don't have a lot of time left here this evening—it's important to get on the record that the TSSA is now also going to be responsible for a lot of issues that could have major environmental impacts. I would have thought that in the

light of Walkerton, this government would be a lot more sensitive to the issue of our environment and the protection responsibilities that they have.

Government members should know, if they don't, that there's absolutely no reference to protecting the environment in all the regulations and the roles that the TSSA have. But one of the things, for example, that the TSSA is now responsible for is the underground storage tanks for gasoline at gas stations. You've already ensured that this organization, the TSSA, has no responsibility at all to the Ombudsman and to the privacy commissioner, and you also exempted them from the Environmental Bill of Rights. So whether or not the TSSA is performing their responsibilities adequately, in terms of protecting the public, protecting our soil vis-à-vis storage tanks for gasoline underground, there still remains the possibility that something could go wrong and you've eliminated the previous guarantees that were built into the structure.

They cannot any longer ask for information through freedom of information. They can't go to the Ombudsman—I mean as a citizen. They can't go to the privacy commissioner. Where do they go to find out what's happening before they even know whether or not there's a problem? This is a huge issue. It's not a minor, little thing.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): It's a pleasure to speak to this bill. Let me tell you that as the MPP for Huron-Bruce, I have heard some comments about this bill from both my propane business and from a boilermaker in my community.

I wanted to make sure that I thought this bill was appropriate, so I actually had the TSSA come up and meet with the constituents and with myself and interested people in the communities of Huron-Bruce. Let me tell you, after spending a number of hours with representatives from the TSSA and from the propane business and from the boilermaker community, that I am confident that the TSSA will be able to work with the people in my community to make sure they provide the best practices, that they provide safety for my community, that they don't overregulate or underregulate but that they make sure our community is a safe community in the future, that they protect people, the people who are buying propane in my community, drying crops, of course, which is a very expensive venture in the agricultural community, and at the same time that they ensure that in future, when people have propane coming into their homes, the propane is installed properly, the tank is installed properly and they're getting the best service they possibly can get.

Unlike with other bills, where we just read them, I spent some time looking into this bill, I spent some time talking to the people who would be the regulator in this case and I have convinced myself, after doing a fair amount of due diligence on this bill, that they will be cautious about safety, they will let businesses prosper in the province, and everyone will be better as a result of having the TSSA there. Those guarantees have been

made from the TSSA, and I look forward to them keeping them.

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Mr Curling: I just want to commend my colleagues from Windsor-St Clair and Don Valley East. It was a wonderful tag team. One lays out the concerns we have in general about the legislation and in detail about an issue or case that has happened. In that short time the concerns we have are precise and clear.

The thing we want is to make sure that the consumer is protected. The bottom line, that's what it is. The consumer must be protected. The consumer wants to know, whenever there is a fault, where they can go and there can be accountability.

But as we laid out before, this government quickly and easily abdicates responsibility. We want to hold this government responsible for the things it is doing. I am saying to you that the concerns we have here are extremely important. Don't rush this bill. Be very careful, because we are talking about people's lives. Even with the amusement park section, we realize many kids' lives are at stake and we must be very careful. We have many instances that have happened over time that have not been properly checked out.

The fact is that this government would just close its eyes and abdicate its responsibility somewhere. We want to hold them responsible for some of these actions. Therefore, consumers must be protected, and we see government as that individual that must be accountable.

Then when you talk about red tape, one member said to me these are unnecessary things. This direction is quite unnecessary. It's more than that, more than unnecessary; it is a way to show that they are washing their hands of the responsibility they have.

So I want to commend my two colleagues for their excellent presentations.

Mr O'Toole: I think it's important to put on the record something the member for Hamilton West said that may not leave the people viewing tonight or in fact the member for Don Valley East—sections 33 and 34 are a very strong regulatory authority within the ministry. With respect to the Gasoline Handling Act, section 42—I'm going to read it because the member for Hamilton West clearly is quite wrong on this and he should read it again: "The Environmental Bill of Rights, 1993, applies to this act with respect to matters to which the predecessor Gasoline Handling Act would not have been when this act is repealed." So the Environmental Bill of Rights, 1993, applies.

It's important to know that this bill, although very technical, has been very widely viewed by those experts within the provincial advisory committees, the technical standards committees as well—

Interjection.

Mr O'Toole: Mr Bradley, you'd be clear to say that you did not attend the public meetings, and as such the record shows clearly that those informed stakeholders at those public meetings did not put on the record any—but I did speak to Mr John Cerniuk tonight, who brought

forward an important observation. He's a technical person, and I kind of support this. He wants to build in accountability. He wants to be able to record, on form 7, a workplace injury or accident; he wants that recorded and the pressure vessel number recorded as well.

I think the minister, in view of regulations, will set up a situation that ensures public safety in these areas. Whether it's any of the seven acts—elevating, pressure vessels, gasoline handling, stuffed articles—the minister and the Lieutenant Governor in Council can make regulations with respect to ensuring public safety is first. I can assure you that in the act, if you read it, there is a provision that consumer safety comes first.

The Deputy Speaker: The member for Don Valley East has two minutes to respond.

Mr Caplan: It'll be very empty, unfortunately, for the family of Mr Charron, who was 21 years old. August 24, 1998, he fell to his death after the Rocket Launcher catapulted him 30 metres into the air and he became detached from the safety ropes.

You should know that the company was fined \$145,000—\$145,000—when the young man died. They were guilty of three violations of the act.

We know from the counsel for Anderson Ventures that there are no training manuals or checklists for inspectors concerning this type of bungee ride. There appears to be more training and guidance with respect to elevator inspections, elevating devices. The training of inspectors appears in general to be on-the-job training. We see some of the very serious and tragic consequences this kind of self-regulation can have. Of course you would be aware that the TSSA is investigating another death, also in Ottawa, of a teenager at a rock-climbing wall set up at a local theatre centre to promote a movie.

The Charron inquest demonstrates the following: that there are poor standards for training centres for inspectors; there are no guidelines for inspectors; there are no standards requiring that all rides must be inspected prior to an exhibition; and there are sloppy professional practices on behalf of engineers certifying the safety of rides. There should be a requirement specifying that the engineer providing certification must inspect the ride in person. I know that government agencies like the Ministry of Labour and the Ministry of Consumer and Commercial Relations do that. A self-regulating body has no incentive to do that. There are no guidelines prohibiting inspectors from certifying a ride as safe.

These are very serious issues, and I hope the government members will listen.

The Deputy Speaker: Further debate?

On June 13, 2000, Mr O'Toole moved third reading of Bill 42. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a—a message delivered to me that will change that.

"Pursuant to standing order 28(h), and acting in the absence of the chief opposition whip, I request that the vote on the motion by Mr O'Toole for third reading of Bill 42 be deferred."

That will be tomorrow at about 1:45. So be it.

RACING COMMISSION ACT, 2000

LOI DE 2000 SUR LA COMMISSION DES COURSES DE CHEVAUX

Mr O'Toole, on behalf of Mr Runciman, moved second reading of the following bill:

Bill 94, An Act to revise the Racing Commission Act /
Projet de loi 94, Loi révisant la Loi sur la Commission
des courses de chevaux.

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the parliamentary assistant from Durham.

Mr John O'Toole (Durham): It is indeed my pleasure this evening to make a few remarks. I will be sharing my time on Bill 94 with other members: I think the member from Northumberland, and there's one other member. I'm not exactly sure which one. However, I'm sure we'll get unanimous consent at that time.

I just want to make sure I start out with a broad overview of the intent and scope of this bill as outlined in Bill 94, I hope for the interest of the viewers as well as the members here who have had the chance to read this piece of legislation.

"The bill revises the Racing Commission Act. The Ontario Racing Commission is continued. The money that the commission receives from exercising its powers, performing its duties or holding investments does not form part of the consolidated revenue fund." So clearly the monies they do manage, and manage under law, are audited, of course, but they are not part of our revenue for the province of Ontario. "However, the minister responsible for the administration of the bill can order the commission to pay part of its surplus funds into the consolidated revenue fund."

"The commission is required to appoint one of its employees as the director of the commission. The director issues licences and registrations under the bill."

"A person is required to hold a licence in order to operate a racetrack at which horse racing in any of its forms is carried on or to act as an owner, trainer, driver, jockey or other person of a type that the commission considers expedient in or about such a racetrack. Before the director refuses to issue or renew a licence or suspends or revokes a licence, the applicant for the licence or the licensee, as the case may be, is entitled a hearing before a panel of the commission. However, if the director considers it necessary in the public interest, the director may suspend a person's licence before allowing the licensee a hearing."

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That gives you a kind of scope of what Bill 94 is about. I'll be making some remarks in the time allowed. When necessary, someone can just give me the hand

signal and I'll stop speaking, with the exception of the member for Northumberland, who would like to take all of my time anyway.

I really do want to make sure I mention that I want to share my time with the member for Halton. He has been known to attend the track, I think—as an observer, of course.

I am speaking of course in support of the Racing Commission Act, 2000, and the potential benefits the bill contains for the horse racing industry in Ontario. For the record, it's important to recognize that in my riding of Durham, one of the largest horse breeding rural areas in Ontario—all of us would know about Windfields Farm and the great things that came from that operation, and there are a number of other less famous but nonetheless important ones. It's a very large sector of our rural economy, horse racing: the training, the stabling, the feeding. All of the work and individual time and buying of equipment that goes into that to support this very important industry is part of what we're doing; in fact, it's part of initiatives by Minister Eves and other ministers as well. The benefits that I will try to outline tonight I think would be appropriate.

Bill 94 would convert the Ontario Racing Commission to a self-regulating agency and modernize it so it can continue to provide effective and efficient services. The conversion will increase the ORC's financial flexibility and its ability to respond quickly in a rapidly expanding, competitive industrial environment.

The government is proposing to amend the Racing Commission Act to enable the Ontario Racing Commission to operate more efficiently and to regulate horse racing more effectively. After all, it's a consumer issue: we want to make sure the consumer is protected, and so does the commission. They want it to be clear and accountable; there's no question about it. Perhaps more importantly, these amendments will ensure that the ORC, as regulator, has the tools necessary to ensure continued public confidence in horse racing. Continued public confidence is key to the continued successful growth of the industry itself. A strong regulator is critical to ensure the integrity of the industry, and Bill 94 will ensure that the Ontario Racing Commission remains just that.

Streamlining and modernizing—I like those terms; we use those a lot—really mean that it's more accountable to the public. We want to cut the time delays in appeals or hearings. And who is really accountable: is it the minister or whoever? It will make the ORC better able to assist the horse racing industry to remain strong and viable. These amendments are designed to do exactly that, Mr Speaker. I am confident that if you were sitting here, which you may be later, you would vote for it as well: increasing the racing and the benefits to racing, not just as entertainment but as part of the whole destination mentality and tourism, making Ontario an attractive place to live, to work, and to raise a family—and to raise horses, for that matter, I suppose.

The commission's financial flexibility is also very important to the industry at this time. Without using

taxpayers' money, I might add, it is essential to meet the increased demand for regulatory service and the demand for monitoring and investigating. This is the enforcement provision that I may spend more time on than some would like.

The horse racing industry provides over 25,000 full-time jobs to the people of this great province of Ontario. Let's just think about that: 25,000 jobs. This is what we're talking about, so if I hear the "nay, nays" over here, I'm going to be somewhat concerned. It provides \$2 billion in the economy each year. I think it's incumbent upon the government to make sure that it's safe and accountable and to make sure that the sport of kings survives and thrives in our economy.

Since 1996 this government has taken steps to improve the state of the industry—and I'll go through and repeat some of those—an industry, I might say for the record, that was in some peril under the two previous governments. Mike Harris has implemented a number of successful initiatives to revitalize the horse racing sector, including the reduction of the parimutuel tax and the introduction of slot machines at racetracks. I can tell you that at Kawartha Downs, as one example, just outside my riding, that has revitalized the track. What I'm hearing now is that the purses are bigger and there are more people buying horses and training horses; in fact, the prices of horses themselves are actually going up. So it has a tremendous ripple effect in the economy, and indeed our local economy. I would say that it's something all members on all sides of the House support. I'm getting nods from the member from Ottawa now. I see he is quite supportive.

These initiatives have breathed new life into the horse racing industry in Ontario. At many racetracks, attendance has increased, purses have increased, and wagering levels are on the rise. The tax reduction and the introduction of slot machines at racetracks have been very positive.

The government's decision to reduce the parimutuel tax and to allow the integration of horse racing and slot machines has been the perfect balance and has given the Ontario racing industry confidence that it will be able to compete in the broader gaming marketplace, provided the ORC can deliver effective regulatory services at no cost to the taxpayers of Ontario.

Hon Chris Stockwell (Minister of Labour):
Dispend, dispend.

Applause.

Mr O'Toole: Thank you very much. The member from Etobicoke is appreciating that. I know he probably attends the track himself.

The racing industry is growing rapidly. Our government is committed to seeing that this trend not only is sustained but continues, and continues effectively. It is precisely this revitalization of just this one sector that has emphasized the need to bring this legislation forward on the Racing Commission Act and the Ontario Racing Commission.

In order for the industry to continue to grow and to achieve its potential, it has become very clear that amendments to the Racing Commission Act are essential. In fact, the stakeholders have brought this to our attention and, as usual, our government is responding to eliminate red tape and barriers to opportunity. These amendments are required to ensure that the ORC, the Ontario Racing Commission, has the structure and the tools necessary to continue to provide efficient and effective regulatory services. I think I said some of that already.

This government has worked closely with the Ontario Horse Racing Industry Association and those constituents of mine who are involved in the industry. I like to drive legislation like Bill 94, or any bill, right down to my riding. I can just visualize my constituents now saying, "Thank God."

Interjection.

Mr O'Toole: Thank God that we've done this legislation is what I meant. They thought I was going to say I'm finished, and that's what they would say: "Thank God." But no, my constituents want me to emphasize the importance of this. Minister Runciman is here tonight watching, so I'd better behave.

The horse racing industry recognizes the need for a strong, modern regulator, and supports these amendments. So we've clearly got the industry saying, "Go forward. Let's remove the barriers."

I'm proud of this government's record of support for the horse racing industry. Our minister, Minister Runciman—my minister, specifically—and the Ministry of Consumer and Commercial Relations will continue to work with the industry to ensure continued growth and prosperity in the entire province of Ontario. This is our goal for the people and for the province of Ontario. This is the goal for the racing commission, and I'm asking you to support it.

If you want to hear from the member for Halton, that's fine, but I've pretty well said everything that has to be said. To the member for Northumberland, I hope we may not dispense. Anyway, thank you very much for your time.

Mr Ted Chudleigh (Halton): It's a great pleasure for me to rise in the House this evening and talk to this very important bill. It's very important particularly to Halton and the people of Halton. I'm going to tell you about Halton in just a minute, but on a wagering basis, Ontario is the fifth-largest horse racing jurisdiction in North America, and I believe Halton may very well be the leading jurisdiction in Ontario.

I'll tell you why that is. The largest horse breeding farm in Canada, Glengate Farms, is located in Milton. Trevor Ritchie of Acton has just won the Hambletonian, the largest trotting race in the world, which takes place in New Jersey. He is one of our own from Halton; he lives in Acton. The horse he drove was bred at Glengate Farms and is called Yankee Paco, the first Canadian-sired horse to win the Hambletonian. It's a marvellous event, and so far that horse has over \$1 million in winnings. Mike Saffit of Milton is also one of the top 10 drivers in

Canada. Randy Waples, who is also from Milton, is one of the top 10 drivers in Canada. Steve Condren, from Milton, is one of the top 10 drivers in Canada. Steve Condren just won his 5000th race this summer. As it happened, I was at the track at Mohawk to witness that win. It was a terrific win.

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Interjection.

Mr Chudleigh: Well, I do what I can for my constituents.

Chris Christoforou of Milton has just won the Little Brown Jug. The Little Brown Jug, which takes place in Columbus, Ohio, is the world's largest pace race, and he was driving Astreos, a horse that was bred on his father's farm in Milton. He is the leading driver in Canada and has won the prestigious O'Brien Award for Canada's leading driver. This year he is the current leader, with over \$5.5 million in purses.

So, Christoforou and Trevor Ritchie, both Canadians from Halton, have won two of the most prestigious events in the world this year, and we're very proud of both those gentlemen and the fame and prestige they've brought to the great region of Halton regarding horse racing.

The member for Durham has talked about this bill and mentioned that the racing commission must be able to respond to the issues, the interests and the participants in this rapidly expanding industry. This act brings in more discretion and gives them the opportunity to respond to the growing needs of the horse racing industry. It gives me a great deal of pleasure to support this bill this evening and to see it come to completion, hopefully this evening, if the member for St Catharines is benevolent in his remarks in the next few minutes.

Mr Speaker, thank you very much for the opportunity to support this bill.

Mr Doug Galt (Northumberland): I'm also very pleased to support the Racing Commission Act, 2000. I understand from the parliamentary assistant to the minister that the Ontario Racing Commission is very supportive of this bill, and I believe we have the support of all the horses in Ontario, because with this bill there will be more horses racing and fewer horses off to the glue factory. So I'm sure every one of them would be supporting this.

The horse racing industry is indeed a significant industry in Ontario, supporting the some 25,000 full-time jobs the parliamentary assistant made reference to. Many of those jobs are, in fact, veterinarians, and I can assure you they appreciate being part of that industry. Certainly, with the stimulation of jobs and investment, it has that ripple effect that supports farmers in selling hay, oats and bedding for those horse farms. It's very important, regardless of where you look at this industry in Ontario.

This act, which would convert the Ontario Racing Commission to a self-financing agency, would also ensure the ORC continues to be accountable to the government of Ontario. As a self-financing agency, the Ontario Racing Commission would remain accountable

to the government to use public resources efficiently and effectively to regulate the horse racing industry.

The commission's operating practices would continue to be consistent with Management Board of Cabinet guidelines and directives. The Minister of Consumer and Commercial Relations would continue to approve the agency's annual business plan and annual report. The Ontario Racing Commission would continue to be audited annually by the Office of the Provincial Auditor. The chair of the ORC would continue to report to the Minister of Consumer and Commercial Relations.

The conversion of the racing commission to a self-financing agency would allow the ORC to strengthen its regulatory services by providing it with greater control. This control would be over how and when to direct resources to existing programs and new initiatives, including addressing areas which require attention. Certainly, a self-funded Ontario Racing Commission would ensure that regulatory activity keeps pace with the changes affecting the industry.

This new legislation means Ontarians will enjoy a strong, modern racing commission that will continue to provide high-quality regulation for the horse racing industry.

I don't think there's any question that the horse racing industry was indeed in trouble over the last decade we experienced in this province from 1985 to 1995. But bills such as this are certainly going to help put the Ontario Racing Commission on a sounder, more profitable basis in the future, and I urge all the members in this House to support this legislation.

The Acting Speaker (Mr Michael A. Brown): Further debate? Questions and comments?

Mr Richard Patten (Ottawa Centre): I have listened intently to all three speakers over the last little while, and I have yet to understand the full impact of the purpose of this bill.

Interjection: Read it.

Mr Patten: Well, I have looked at it, and I understand that it's to give the racing commission greater flexibility. But it will be self-financing. When I hear "self-financing" it worries me, especially when self-financing is proposed by the Harris government. Where will they get their money? Will they be more independent? Will they have to have fundraisers? Where would their stakeholders be? Of course it will be breeders, it will be owners, it will be racers and it will even be the horses themselves, as the member for Northumberland has said. Where are they going to get the money to make them more independent than they are at the moment?

I leave that as a question for the government side to answer at a certain point. I fail to see where that is. I, of course, am extremely supportive of the Ontario Racing Commission. I think it's extremely important. I do not have a racetrack in my riding, even though I have the experimental farm adjacent to it.

It was a very viable business until the government introduced so many other gambling establishments that undercut its ability to be viable, and now of course they ask to have tables and VLTs and all kinds of gambling

arrangements just to survive. So it appears to me that the government is somewhat—I do not want to use the word "two-faced," but it's not—

The Acting Speaker: Order.

Mr Patten: Thank you very much.

The Acting Speaker: Questions and comments?

Mr O'Toole: I'd maybe just respond to the member from Ottawa.

Section 13 of the bill deals directly with financial accountability. It is quite clear. It provides, "Despite the Financial Administration Act, the money payable to the commission under this or any other act and the revenue" constitutes general revenue or consolidated revenue. The minister can make orders with respect to surpluses.

Also, the accounts of the commission shall be audited by the Provincial Auditor or by other auditors as ordered by the Lieutenant Governor. So there's clear openness and accountability. It's a very good question, and I completely endorse having all forms of accountability to it.

The monies come in from fees and licensing of the tracks and those people who gain licences under the act.

In the brief time I have left, I want to mention and make the record very clear that my riding of Durham—and I don't want to sound like I'm self-centred, but it is one of the greatest places to live, work and raise a family and also to get elected—is also the home, as everyone here would know, of Winfields Farm, the birthplace of the thoroughbred Northern Dancer. It's also the home, not far from where I live actually, just down the street, of Doug Brown, who is one of the top drivers in the standardbred industry in Ontario.

I'm no stranger to the issue, and from everything I'd heard from the stakeholders and from Minister Runciman's participation in this, I think this is the right thing to do for the right reasons: to allow an industry that was in some trouble, as the minister said, some years ago—I would put to you that it should be recognized that it's now not in as much trouble, and much of that may be caused by the decisions made by this government on a number of fronts that I mentioned in my remarks.

With that, I thank you and hope that answers your question.

The Acting Speaker: Questions and comments? Response? Further debate?

Mr James J. Bradley (St Catharines): Needless to say, I have a few things to say about this piece of legislation this evening. I will start by sharing with members of the Legislature something you would all want to know, and that is that the brothers and sisters, the members of local 199 of the CAW, greeted with a good deal of joy today the announcement by General Motors that there would be an investment of some millions of dollars, in this case hundreds of millions of dollars, in our community in order that a new engine line could be established.

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I can tell you the reason this happened was because this plant is so productive, because the employees of this

plant are extremely productive and have an excellent performance record. They produce very high-quality work; they are people who are well trained and educated for the specific jobs that they have at General Motors.

Interjection.

Mr Bradley: We have a number of individuals in the community, elected from all political parties across the Niagara region and municipal representatives, who were urging General Motors to invest more money in the community, and now I'm pleased. The Minister of Labour, who was once Speaker and would like to be Speaker again, quite obviously from his interjection, should know how this relates to this legislation.

Let me tell you. There used to be a racetrack almost across the street from General Motors, and many people who work at General Motors had to drive past the racetrack. That racetrack is no longer there, but I did want to say that's how this particular announcement ties in. I know that the federal member of Parliament, Walt Lastewka, who used to be a manager at the GM engine plant in St Catharines, was delighted; I as the provincial member for St Catharines was delighted with the team that's there at General Motors—all of the employees, management and representatives of the union working together, along with people throughout the community, to encourage General Motors to invest more money in our community. We see this as a wonderful step and look forward to more of that kind of investment. I know that Mayor Tim Rigby was there; chair of the region, Debbie Zimmerman; Doug Orr, who represented CAW local 199 on behalf of Ron McIntosh, the president; Maureen Kempston Darkes was there; and of course Buzz Hargrove—Basil Buzz Hargrove—was there and in fine form.

What was interesting about it was the unanimity we have. We have people with different views on various issues who had come together to be extremely happy about a good news announcement for our community. Certainly we in the Niagara region are absolutely delighted with that. I wanted to say that because Al Palladini, my friend from north of Toronto, was there in his capacity as a cabinet minister, and I think Al recognized the quality of the workforce we have there, the wonderful operation we have.

It was a logical step, businesswise, in my view to have that kind of investment in St Catharines. The Minister of Labour, who is here tonight, will want to see even more of that kind of investment, and I am glad to see there is support on all three sides of the Legislature for that kind of investment. We certainly need it in St Catharines, where the General Motors operation over the last few years has been downsized rather considerably, but we hope we hope we're seeing the beginning of growth at this time.

So you will see as we go by the racetrack—and I'm going to talk about Garden City Raceway because it's no longer there—the potential use of that property. I think that a lot of the property in that specific area would be wonderful for growing grapes, and we have to preserve

as much of our farmland as possible. When they razed the Garden City Raceway—in other words, it's no longer there for people to attend, those who choose to do so. Those of us who do not gamble of course would go there only when there were horse shows from time to time, but not for gambling purposes, but others enjoyed the races very much and it was a wonderful opportunity for them.

We in the Niagara region also have the Fort Erie Race Track and we have an interest in the horse racing industry. A detrimental thing that has happened, and I know this bill will have an influence on it, is the implementation or installation of the one-armed bandits; not VLTs in this case but the “good old-fashioned slot machines” as some people call them. People wonder about this. They say, “There may be VLTs in there; I've not been there, of course, to utilize those.” But what used to be nice about the old operation was that people went there and they were very much interested in the animals and interested in the races that took place. Now the people simply come in and all they do is put the money in the slot machines, and of course the big winner is whoever owns the slot machines. Unfortunately it preys upon the most vulnerable people in our society, those who see no other real chance. They're not well-connected, like some people, to get the good jobs. Because of the oppressively great costs today of getting a post-secondary education, they may not have had that opportunity, and some are simply addicted to gambling.

These are what I call the Mike Harris gambling halls through the back door. Remember I used to refer to the proposed charity casinos; once you propose 44 of them going 24 hours a day, seven days a week, 364 days of the year, because I don't think we could possibly have them on Christmas, at the very least—“Be that as it may,” as the lawyers say—we have the gambling coming in the back door. They closed the front door. The minister—I wouldn't say in “pomposity,” that's the wrong terminology to use—got up and he appeared to be earnest; this is the heir apparent—

Interjection.

Mr Bradley: The only Ernest I know in here, of course, is Ernest Eves, the hardworking provincial—

Hon Mr Stockwell: How about Ernest Hardeman?

Mr Bradley: Ernest Hardeman as well, yes—two hardworking individuals.

Interjection: Don't forget the Importance of Being.

Mr Bradley: The Importance of Being Earnest as well.

We know that the provincial Treasurer is very busy at this moment or he would be in attendance. I don't say this in any negative way, because we're not supposed to make reference to attendance, but I know that the provincial Treasurer, Mr Eves, would be hard at work at this time thinking of these things because he used to be opposed. I used to applaud his speeches when he sat on this side of the House denouncing the expansion of gambling opportunities in this province, he and his buddy from North Bay, the Premier of this province, back when the government was not preying upon the most

vulnerable people in our society, the addicted, but instead were obtaining the revenues from the normal course of action.

There's something else I saw, because somebody mentioned government advertising, and I didn't want to touch on government advertising because in that case—

Interjection.

Mr Bradley: Well, it does. Let me get around to how it is. I saw ads on television for Greenwood or Woodbine, one of the two—

Interjection: Woodbine.

Mr Bradley: —Woodbine, where they've got the slot machines. What it shows is exactly what happens, and they're advertising this. You see a man and wife and one of them is sneaking away to gamble. He's tying up the sheets and going out the window and heading out to the racetrack. Unfortunately it really describes what's happening in many cases. There is a very disruptive effect on the family. What happens is that the divorce rate increases, family violence increases. Even poverty is brought to some families because of people who are addicted to gambling. That's a concern I still have.

I know that the ultimate goal of this government—you will remember this very well—was to have the video lottery terminals, the crack cocaine of gambling, the most seductive kind of gambling possible, in every bar and restaurant of every village, town and city in all of Ontario. That got kiboshed—I don't know how you spell that for Hansard—because those of us in the opposition and some in the government backbenches, no doubt, thought the government was going too far. Unfortunately the vigilant people from the family coalition on the other side, the family values crowd on the other side, didn't see, or maybe ignored the fact, that the minister responsible, the Honourable Chris Hodgson, the heir apparent, was bringing in these slot machines through the back door. I'll have to report this to the Anglican Diocese of Niagara, because I know many there will be extremely concerned about this, as they should be.

I won't read into the record tonight the open letter of the former Bishop of Niagara, Walter Asbil.

Hon Mr Stockwell: Because you don't have it.

Mr Bradley: The member across suggests I don't have it with me. I could certainly get my hands on it, but I won't read it into the record. I was speaking to him not too long ago, telling him I had read it into the record twice because I thought it was so good, such a compelling piece of writing, that it instructed the Premier well.

But let me get back to the provisions of this bill specifically. I did mention the kind of advertising that's going on related to gambling.

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Hon Mr Stockwell: What about Conrad Black?

Mr Bradley: Conrad Black is in decline now so I don't necessarily attack him, but he would be happy with this government's policies, as he would with those of Stockwell Day, quite obviously. If you are extremely wealthy and you don't have a social conscience, why wouldn't you be in favour of the Reform-Alliance or the

Harris government? Those people should be in favour of the Harris government. But others with a social conscience or who are of modest means certainly would find it difficult to support a number of the policies. Not all; I'm a very fair-minded person.

You heard me mention the racetrack in Niagara. Of course the horses need farmland for the purposes of grazing and so on, but what we need is a policy in this province which provides some kind of control on the urban sprawl that we're seeing. Otherwise these animals won't have a place to graze and we won't have the kinds of crops we'd like grown in this province. I see it out of control. We are losing thousands of acres, some would say hectares, of land per week in this province. My friend the Minister of Agriculture must be very concerned when he sees viable and good farmland disappearing. I can tell him that one of the major reasons that's happening is because this government abandoned some strict planning policies which would have determined appropriately which land could be reserved for agricultural purposes, for natural purposes and for environmental purposes and which land would be allocated for the purpose of development. I find that very disconcerting. I think that's going to be a major issue certainly throughout the next 10 years.

The member for Oak Ridges is here today. I should tell him I was at a meeting, a gathering, with Dr David Suzuki as guest speaker. It cost me \$100 out of my pocket. I paid \$100 out of my pocket—no tax receipt—because I believe in the cause, and that is of preserving the Oak Ridges moraine from the kind of development that many people on the other side of the House want to see happening. I can tell you that we want to see preservation of those headwaters of the rivers and streams which provide water to the people of those communities.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Beautiful, isn't it?

Mr Bradley: I was near Helen Johns's—she doesn't mind me calling her that—the honourable minister's territory on Tuesday. I went up to Walkerton, Ontario, again. I had to go through Huron county and I found it a very pleasant part of the province indeed.

I must say Dr McQuigge did an excellent job of making a presentation to the people of the community of Walkerton and to the news media there. His presentation was outstanding, it was clear, and I think this government should listen carefully to what he had to say. There were many things he had to say which were extremely important.

Hon Mr Stockwell: This is like stream of consciousness. When does he talk about the bill?

Mr Bradley: The Minister of Labour interjects. He is about to bring in, I'm told, the most heinous—is that the right word?

Hon Mr Stockwell: Heinous.

Mr Bradley: I could never pronounce that word correctly—the most heinous piece of legislation; it's reputed. I hope I have more faith in him than others, but

I've listened to the member for Hamilton West. He has given some warning, as has the member for Hamilton East, that we're going to see legislation which is clearly outside the mainstream of Ontario when it comes to labour law. I think the present Minister of Labour, whether he believes that to be the case in his ideology or not, is a wise enough person to recognize that balance is needed. However, he says he is not. He says no to me; I think he is, but I think he will be forced. The Premier's staff will have his arm up behind his back and he will be forced to bring in legislation that is clearly detrimental to labour in this province.

I want to say as well that the ministry that administers this piece of legislation, which is responsible for horse racing, is a ministry that is under considerable fire. I look at both agriculture and consumer and commercial relations as ministries which have had significant cuts. The people who work for those ministries are far fewer in number today and their influence within government is diminished because the people at the centre have made this decision. Frankly, I feel sorry for the Minister of Agriculture, Food and Rural Affairs. I can tell you, Mr Speaker, that the Ministry of Consumer and Commercial Relations is such a light portfolio today that the Honourable Bob Runciman has time to be the co-chair of the Alliance federal campaign in Ontario. That tells you something about the lack of power of this particular ministry.

I thought the Minister of Labour was getting up on a point of something, but he isn't.

I want to say this to the Minister of Labour: he was among the best of people supporting our athletes in Australia. I saw him on television when our people were winning medals. He was giving a standing ovation, along with his family, to those individuals.

Hon Mr Stockwell: I was cheering for Kazakhstan.

Mr Bradley: He says he was cheering for Kazakhstan. I don't believe that. But he was there. I think the Honourable Ernie Eves was there for a while, and Mayor Lastman was there at that time welcoming people to come to Toronto in the hope that Toronto would be—even our Premier was there for a period of time as well, and I'm sure there was likely the odd federal representative because they tend to be in attendance at these competitions from time to time.

Mr David Caplan (Don Valley East): Do you think Mike took the jet or did he fly commercial?

Mr Bradley: I think probably commercial in this case.

I am worried about certain aspects of this bill. Maybe my worries are without foundation, but I am worried, just as I was worried when I heard that the head of the Trillium Foundation, Rob Power, sent a letter to all of the people on the local committees—

Mr Caplan: The grant review teams.

Mr Bradley: —the grant review teams, telling them to come to the Mike Harris fundraiser. I thought that was an inappropriate use of that particular list. I'm surprised the St Catharines Standard hasn't caught on to this and asked the local people in our community about that.

Mr Galt: I'm sure you've tried to help them.

Mr Bradley: I have not been able to be of assistance in that regard because it was initially raised by a member of the third party and subsequently by the critic; the member for Sarnia-Lambton put it very clearly to the minister. We thought that was a most inappropriate use of that office.

Mr Power also, you will recall, being a northern Ontario resident, had a hand in rewriting the rules for environmental assessment, the rules being rewritten in such a way that the Adams mine was able to slip through quickly.

But I am getting off the bill and before the government whip gets up I want to get back to the specific provisions of the bill, because I saw him rising to ask what that had to do with anything. Truly, he would have been justified in rising to ask that very question.

I see user fees in here; I see there is a user fee provision in here. I'm wondering if this is going to be the 977th user fee implemented by the government of Mike Harris. You will remember, Mr Speaker, as I did, that during the leadership campaign when Dianne Cunningham and Mike Harris were running against one another for the leadership, Mike Harris said that a user fee is a tax. I believed him on that occasion. I thought, for once he's right. But since this government has been in power they have implemented 977 user fees, once this bill goes through. I don't want to say this bill is going to go through, but if this bill goes through, that would be 977 user fees.

2030

I hope that if this bill is implemented, this is not an excuse for more government advertising. As we know, the Mike Harris government has spent in excess of \$185 million on what any objective person would see as blatantly partisan political advertising at the expense of the taxpayers. Whether it's in the field of the environment—by the way, you will recall this, members of the Legislature: during the by-election campaign these ads were all running, trying to influence the people of Ancaster and Aldershot and certainly of Dundas—

Mr Caplan: Flamborough.

Mr Bradley: —I think they were trying to influence the people of Flamborough as well.

Interjection: Where there's a racetrack.

Mr Bradley: Where there's a racetrack. We had all kinds of government advertising—education. You turn on the hockey game or the baseball game or the football game or some major attraction and there's the Harris government advertising, using taxpayers' dollars. I hope that doesn't happen with this bill because that would be most unfortunate.

I know there are other members who wish to speak to this bill tonight. The member for Hamilton West is eager, if not speak to the bill, at least to have my speech end—one of the two. He probably has some important business that must be dealt with.

I also want to say this: this bill deals indirectly with agriculture. I think the Minister of Agriculture and I are

both discouraged that within a companion bill that we saw in the House this afternoon, the red tape bill, the Wine Content Act is being dealt with as part of a huge package. They thought they could bury it in there and no one would see it. But of course the vigilant people in the Liberal caucus and others across the province looked through this bill and found that the Wine Content Act was also part of this bill.

The member would know that farmers in the Niagara region, and in southwestern Ontario particularly, are very concerned about the provisions that are found within this legislation. They thought that perhaps the government would be on their side. They're concerned that when people purchase wine that appears to be made in Canada, and particularly—I'm going to be parochial—here in Ontario, they would know how much of that was actually Ontario grapes, that had made that wine. Our goal is to have as many Ontario grapes as possible used for that wine.

Farmers have been flexible in years when there has been a bad crop year, when they haven't been able to produce as much as they would like and there was a need for certain imports. They've been flexible. But they're very concerned about this and I don't blame them. It goes back to another point I made earlier, that if you want to save farmland, you have to save the farmers. That's why I think it's important that they be treated fairly. I don't want to deal with that in this bill because it's not in this bill, but I wanted to make reference to it because I know—I see the Minister of Agriculture is here. He's either nodding in agreement or nodding off at my speech, one of the two.

I suspect that in his heart of hearts, despite what might be said publicly, he would agree that we want to ensure that our farmers are treated very fairly. We want to make sure that the LCBO, which is better than it once was, still would treat our product better than it does at the present time. We see a lot of foreign wines advertised. We should give a better break to the wines produced here in this country and specifically here in this province. But I digress and I don't want to digress.

I don't really see a need—some may differ from me. I'm going to speak firstly on this. My House leader may have a different opinion, and of course the House leader is the person who should speak for the party in this regard. I don't see why this would go to committee. I think this is the kind of bill that would pass rather rapidly. But the government has a certain pattern: it sends innocuous bills to committee for hearings, and then when there is an important bill where there might be considerable opposition—the House leader of the NDP would probably agree with this—where you want three or four weeks of hearings, it's very difficult to get three or four days, and if you do, it's in Toronto.

But there's an innocuous bill—I saw the e-commerce bill. Now, that may be more important than some people think, but it had all kinds of hearings, and yet other bills we've asked for hearings on don't get out there.

How does that help the government? Well, then when they get one of their regular supporters up, those who are trying to ingratiate themselves to the Premier the most, they get up and say, "Well, the Liberals sent the following number of bills to committee, we sent this." In other words, they look at the quantity of bills and the quantity of time in committee rather than what was actually dealt with in committee.

The reason I'm not using my full hour tonight—although I see the member for Pembroke coming in and that may change things. The reason I'm not using my full hour tonight that is allocated to me is that I think, on bills which are less contentious, all of us should spend less time and we should in fact allocate a larger amount of time to bills which are more contentious.

The government whip agrees with me. I think if we could come to that kind of agreement, that the House would function better. For that reason, though I have many other issues I'd like to talk about, I know that this particular bill is confined to a somewhat narrow purview and for that reason I want to indicate that I will study it further, look at all of its provisions, listen to the debate. I'm not a person who likes to say I'm going to agree or disagree with this bill automatically because it's a government bill or not. I like to hear the debate in this House on this bill before I decide whether I think it would be helpful to the people of this province.

This may be one of the bills I agree with. I was, in fact, defending the government the other day. Somebody was attacking the government on a particular issue—

Hon Mr Stockwell: Which government?

Mr Bradley: Your government, the Harris government, on an issue. They said they didn't like the Drive Clean program. I said, "Well, listen, let me tell you something." They wanted me to be critical of it and to say it should be terminated or something. I said, "Let me take a different approach to this. Yes, I agree, the implementation was a disaster. Yes, I agree with you that indeed the government had to be dragged kicking and screaming into the program. But you know, the program is there now. I want to help to make it work. Any way you can help to make it work, I think, is productive."

As I say, this person was being critical of it and says it's a nuisance and so on. I know some people believe that to be the case.

Now, I want to see the government extend it to the major trucks and the major buses and so on out there, the larger vehicles, but it's a start. It's a start and I think it can be helpful, and I'll put myself on record as that. The government may quote that if they wish. As I say, I was at a public meeting where a lot of the people were critical of the government, and I was there to defend that.

So I'm not a person who says automatically when the government introduces legislation that it must be bad. Therefore, in this particular piece of legislation, I'm going to sit down and be interested in the further debate which I hear in this House, either tonight or at a future time, and then make an appropriate decision which I hope is in the best interests of all the people of Ontario.

The Acting Speaker: Further debate?

Mr Christopherson: I believe we have unanimous consent to allow our critic, Tony Martin, the member from Sault Ste Marie, to stand down his lead from this evening to another time.

The Acting Speaker: Agreed? Agreed. Further debate?

Hon Frank Klees (Minister without Portfolio): I move adjournment of the debate.

The Acting Speaker: Is it the pleasure of the House the motion carry? Carried.

Hon Mr Klees: I move adjournment of the House.

The Acting Speaker: Is it the pleasure of the House the motion carry? Carried.

This House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 2040.

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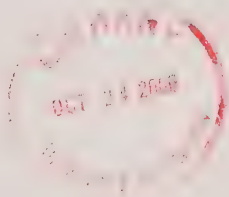
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des débats
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Thursday 12 October 2000

Jeudi 12 octobre 2000



**Speaker
Honourable Gary Carr**

**Président
L'honorable Gary Carr**

**Clerk
Claude L. DesRosiers**

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 octobre 2000

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

INQUIRY INTO POLICE INVESTIGATIONS OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2000

LOI DE 2000 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLICIÈRES SUR LES PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

Mr Guzzo moved second reading of the following bill:
Bill 103, An Act to establish a commission of inquiry
to inquire into the investigations by police forces into
sexual abuse against minors in the Cornwall area / *Projet
de loi 103, Loi visant à créer une commission chargée
d'enquêter sur les enquêtes menées par des corps de
police sur les plaintes de mauvais traitements d'ordre
sexuel infligés à des mineurs dans la région de Cornwall.*

The Acting Speaker (Mr Michael A. Brown): The
member for Ottawa West-Nepean has up to 10 minutes to
make his presentation.

Mr Garry J. Guzzo (Ottawa West-Nepean): We live
in a great country and we live in a most cherished section
of that country, for which we should all be grateful. But
what makes this country so desirable and great—the rule
of law, the security of all citizens and the guarantees of
equality—must surely be protected. They're merely
verbiage if our police forces are not independent and are
not willing to protect our citizens, thereby sacrificing
their public trust.

The bill I introduced this morning addresses a problem
in the city of Cornwall, which no one has yet denied.
This bill speaks to a breakdown in our justice system,
which no one has denied. This bill attempts to shed light
on the operation of a pedophile ring which has operated
for years in that city, which no one has yet denied and
which continues to operate today as we stand here and
peak.

If no one denies the foregoing, why would there be so
much politicking and opposition to my bill? Why has
there been continued opposition to the fact that I have
raised these matters in a very professional and dignified

manner and on a confidential basis? Why is this bill even
necessary?

Three and a half years ago, I began by asking ques-
tions of those in authority—my Premier, my Attorney
General and my Solicitor General—after I had uncovered
information that I myself had difficulty believing.

In 1992, the Cornwall Police Service conducted an
internal investigation and concluded there was nothing
amiss and no charges to be laid with regard to allegations
of a pedophile ring. In 1994, the Ontario Provincial
Police did an investigation of the Cornwall force and
made the same finding. On Christmas Eve 1994, at a
press conference, the provincial police stated that they
had left no stone unturned and could find no persons to
charge and no evidence of any wrongdoing on the part of
the Cornwall police.

But in 1995 and 1996, the Cornwall citizens com-
mittee, using their own funds and doing the work of the
Ontario Provincial Police, turned up evidence to the
contrary. On April 8, 1997, this committee served on the
Attorney General of this province and the Ontario Civil-
ian Commission on Police Services, after the Solicitor
General had refused to accept service, four boxes of evi-
dence, which included affidavits, statements and docu-
mentation which apparently had been totally overlooked
in not one but two previous investigations.

The Ontario Provincial Police then quietly embarked
upon Project Truth. The same two individuals who
headed the initial investigation for the OPP in 1993 and
1994 were assigned to head Project Truth. As a result of
Project Truth, as of October 1, 2000, 115 charges have
been laid, and 112 of those, by my examination, took
place long before Christmas Eve 1994. The evidence of
all those 112 charges was clearly available when the two
investigations by the Cornwall police and the Ontario
Provincial Police took place.

Some 67 weeks after April 8, 1997, on July 31, 1998,
the Cornwall citizens committee served on the lead in-
vestigator of the Ontario Provincial Police Project Truth
copies of the documentation contained in those four
boxes that had been left 15 and a half months earlier with
the two agencies of the Ontario government, and the lead
investigator, Inspector Hall, signed a letter on July 31,
1998, acknowledging receipt of those four boxes of evi-
dence and stating he had not seen this evidence prior
thereto.

He had heard comments on an Ottawa radio station,
CFRA, from the sister of one of the members of the
Cornwall citizens committee, and he stopped the brother

on the street and said, "What is your sister talking about?" and he told him. As a result of that, four days later those documents were served on Mr Hall, and he signed that letter. A very experienced police officer signed the letter: "I've never seen this before."

Twenty-three months after April 8, 1997, after the serving of this documentation on two government departments, on March 8, 1999, I received a call at my home in Florida from a person who stated he was the number one person in the Ontario Provincial Police with regard to criminal investigation. He identified himself as Deputy Commissioner Frechette. He said quite clearly that he did not know of what I was speaking in my letter of February 23, 1999, to the Premier. A copy of this letter had recently come to his attention through the Solicitor General's department. At that point, he did not have my initial letter of September 18, 1998.

I make it clear that I believed Deputy Commissioner Frechette, and I arranged to have my file turned over to him upon my return to Toronto. But two weeks later, when I contacted the deputy commissioner, he advised me that he no longer needed to see me and no longer needed to see my file. He had now seen this evidence. He admitted, "I have it now. I'm the number one man for criminal investigation, but I didn't see it for 23 months."

The issues here are clear and easily stated, but they're difficult to understand. How is it possible that the Ontario Provincial Police went from zero charges on Christmas Eve 1994 to 115 charges on October 1 this year? How is it possible that for 67 weeks after the delivery of this documentation, on not one but two departments of the Ontario government, lead investigators on Project Truth had not been aware of the documentation? How is it possible that 23 months after the service on the Ontario government, the number one man responsible for criminal investigation in Ontario did not know of the documentation and, in particular, did not know of the affidavit of one individual which, in my opinion, was an inculpatory statement? That man had not been interviewed by the police at that point in time.

1010

We have here the makings of a very significant problem. Either the first two investigations were totally incompetent, or there has been a massive cover-up. There is no other possible answer. Why would there be a cover-up in a matter such as this? For what purpose? For whose benefit? I have received no answer to my questions in my confidential letters of September 1998 and February 1999 to the Premier. I do not wish to proceed in this manner, but six months after that first letter, I was advised by the chief of staff of the Premier that he had not shown my letters to the Premier, and I have to ask why. It's as strange an admission as holding a press conference on Christmas Eve.

In addition, I have written to the Attorney General and the Solicitor General individually, as lawyer to lawyer, for some assurance that our government, of which I am a part—admittedly an insignificant part—could not be held

responsible for what was clearly occurring in Cornwall, and to date I have received no such assurances.

I have interviewed some 45 to 50 alleged victims. All of them approached me or were referred to me by their legal advisers. I have not accepted everything that each has said, but I have, however, no problem in believing a large portion of many of their statements. Some I have questioned on two or three occasions and they have held up well under cross-examination.

Some of these men have turned to a life of crime. Nobody should be surprised at that. Some of them have done exceedingly well, putting these issues behind them. Some of them have gone public and some of them haven't told their spouses or their children, and in one case, his aged mother. Some have vivid recollections and to some it's just a blur. I've had experienced lawyers and police officers with me on occasion when I've interviewed them, and one police officer, a veteran, was sick to his stomach after having to listen to one description of what had taken place.

In my life as a city councillor, a lawyer, my time as a judge, I have a record of dealing with children. I have dedicated some of my life to working with children and I've never witnessed anything as tragic and as questionable as this situation.

The Acting Speaker: Further debate?

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I am pleased to rise today in support of Bill 103. This has gone on far too long and I have run into the same stumbling blocks as the former speaker. I know that many of the people in my community are very supportive of what's being done here today and I know there are many innocent people on the list of names that is out there who have to be given time to heal.

Since last June 21 when this bill was introduced, many things have happened. This bill called for a public inquiry undertaken by the police forces that are investigating sexual abuse against minors in the Cornwall area.

No matter where I go in Ontario, I get this issue thrown in my face.

If the bill passes, a commission of inquiry will look at investigations undertaken both by police forces and private individuals. No matter what the fearmongers in the community say, we have a good legal opinion that the two investigations could go on side by side. The commission will inquire into the following: whether the police force investigating complaints of sexual abuse after 1989 failed to conduct an investigation with enough diligence, why no charges were laid at this time and whether or not evidence was concealed.

The bill will also look into why private individuals decided to take on an investigation on their own and these private investigations led to charges being laid at police forces.

In the early 1990s, an investigation into sexual abuse against minors began in the Cornwall area after the police services board received a number of inquiries. On the police services board are provincial appointees and municipally elected people. The Cornwall police look

into these complaints but claimed there was no evidence supporting the claims.

In 1994, the Ontario Provincial Police came in to review the investigation that the Cornwall police had undertaken into the sexual abuse allegations. In December they announced there was no evidence of any wrongdoing.

Between December 1994 and 1997, private citizens in Cornwall decided to investigate on their own and finally it prompted the OPP to come back into Cornwall and launch Project Truth. As a result of Project Truth, 115 charges were laid against 15 individuals.

I know we've run into many stone walls on this issue, the same as the previous speaker, and after the bill was introduced in the House last June 21, many of my constituents came into the office and wanted to know what they could do to support me and who was going to get to the bottom of this issue.

Some of the same correspondence and material that came to my office also came to Mr Guzzo's office. I spoke to Mr Guzzo in the Legislature last June and he told me that his number was coming up and he was going to introduce a private member's bill and try to get to the bottom of the issue that way. I told him I was very supportive at that time. That was on June 21, and before I could get back to Cornwall, the local press were calling every half-hour to try to get my reaction. I told them that my goal was to support the Guzzo bill and get it to an all-party committee.

Many of my constituents came to my office—very experienced people in law, education, public health, and I could go on and on—and wanted to know what they could do to support this issue. I said, "The best thing I can tell you is that we can have a meeting in my constituency office. I can bring you all together and you can decide. You know this community as well as I do and anything you could do to help, I would be very supportive of that."

So they did form an organization and they had one meeting in my constituency office. No matter what anyone back home tries to tell you, there was one meeting there. They found their own meeting rooms after that.

They brought back to me a petition signed by over 11,000 people supporting the bill. Opposition to that bill has had a hard time to muster 100. They wrote letters and they gathered information. They have worked very hard and they are the salt of the earth. I owe them a great debt for what they have tried to do to bring justice on this issue.

As an elected person for some 28 years, I never saw anything that divided the community like this has.

Our local press didn't help much on this issue. They've fanned the flames. They haven't shown a leadership role. There are things they could have done to try to solve some of these problems but they did not. We heard all kinds of issues from them. In other words, they fanned the flames.

The bill is before us and I am very proud to support the bill. I am very interested to hear what others may

have to say. It's an issue that is not going to go away, and it cannot be swept under the rug any longer.

1020

The Acting Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): First, let me indicate quite clearly that the New Democrats will be supporting this bill. As well, let me applaud Mr Guzzo for his tenacity in pursuing this matter. This is an extremely troubling thing, not just because of what the various reports indicate may have happened, but because of what happened after Mr Guzzo began his efforts to bring some light to this matter.

As troubling as the prospect of a flawed or failed or corrupt police investigation is, it's equally troubling that not just one Attorney General but two Attorneys General would rebuff quite frankly any member of this Legislative Assembly who would bring such a serious matter to his attention, but in this instance one of his own colleagues, Mr Guzzo, a man whom I trust. Although the Attorney General and I don't agree on very many things, I trust the Attorney General agrees with me in terms of my assessment of Mr Guzzo as a person who's extremely familiar with the areas of the law and as a person whose integrity, certainly in this matter, is beyond reproach. I trust him. That's one thing the Attorney General and I can agree on.

Is the matter of a corrupted police investigation beyond the scope of reality? Is the prospect of even political interference beyond the scope of possibility? This seems outlandish in this post-Watergate era, but I've read and re-read the Hansard transcripts of Donald MacDonald here in this Legislature when he rose in this assembly and confronted the Tory government of its day about the incredible litany of abuses that were taking place in training schools.

Please, refer to those Hansards. The response was one of laughter and derision. Donald MacDonald and the New Democrats were mocked for daring to suggest that the august leadership in any number of training schools would have had any role in sexual abuse of children and sexual assault—some of the most heinous sexual assaults, sexual assaults that resulted in pregnancies by teenage women who were placed into the custody of the state for so-called safekeeping, if you will. I read the Hansards, and I remember as a young person the phenomenon.

The New Democrats, as I say, were rebuffed by the government, some very senior members of the government—again, I appreciate that things have changed—who had direct involvement in the appointments of any number of the people to their positions of power and leadership in these various institutions.

So I submit it's not beyond the scope of possibilities that there can have been, in Cornwall, an inappropriate use of power, influence or control to suppress an appropriate investigation.

Let's be very clear, because I don't think there's any member of this Legislative Assembly who's going to in any way prejudice the guilt of those persons who have

been charged as a result of a renewal of the investigation—by no stretch of the imagination. There's no intent here to prejudge the guilt of any of those people charged, or quite frankly any of the suspects who may have been named, and no interest in prejudging the outcome of the inquiry being proposed by Mr Guzzo. But that's exactly the point. We're dealing here with the most heinous crimes that can be committed.

There are two things, I suppose, that all Ontarians—I mean fair-minded or civilized persons—would find repugnant. One is that it's repugnant that a person who commits these crimes against these children should not be identified, prosecuted and dealt with. It's equally repugnant that anyone should have to live under a cloud of suspicion without being adequately cleared.

I'm familiar with small-town Ontario. The city of Welland is very much like the city of Cornwall. It's small-town Ontario, where people live pretty intimately, where people share what goes on in that community.

So, as I say, the cloud of suspicion over an innocent person is repugnant, but very repugnant is the prospect that guilty people could remain unapprehended and free of prosecution and justice, not only from the point of view of the community but from the point of view of any number of victims. There's no doubt, I suspect, in a whole lot of people's minds that there have been victims.

I read the reports of the role of Perry Dunlop. While I want to be very careful about prejudging or suggesting what facts may or may not be put forward to an inquiry, here's one about which I have little doubt, and that is that Perry Dunlop, as a police officer, had the audacity to suggest that in the instance—again, I don't think there's any doubt about it—of a deal struck by the employers of one of the perpetrators and the victim—a settlement, cash, to suppress the matter—one that was struck on the condition that there be no discussion or disclosure of the terms of the settlement. Perry Dunlop said, "Fine and fair," although that sort of deal has been criticized subsequent to that, and then suggested that at the same time there's an obligation for the acknowledged or admitted perpetrators by virtue of the settlement to be reported to family and children's services for their registry of offenders. He not only was rebuffed; he was told to keep his nose out of it, as far as I read, and was told words to the effect of "the matter's done and over with; the case is closed."

Certainly there can't be any doubt about the fact that citizens felt compelled to initiate private investigations. What in God's name, in this kind of country, is going on when citizens can't rely upon their police force to adequately investigate a matter, to adequately investigate a crime, where they have to go and hire private investigators?

The courts had an opportunity to deal with that recently. You'll recall the recent fraud trial here in the city of Toronto. The victims of the fraud—the perpetrator was convicted—were compelled to, because in that instance the police were so understaffed that they said simply said, "No, we can't prioritize a fraud. We haven't

got officers to work on it," and so they retained Brian Patterson, whom I quite frankly know well as a very accomplished forensic auditor and investigator. They paid a huge amount of money for the work that was done—a whole lot of work and effective work, because it resulted in a prosecution—but the judge very, very clearly criticized the utilization of private-sector investigators for Criminal Code offences. He deplored it, as I understand the comments, as something that was "very dangerous" in terms of the whole criminal justice system, in terms of the integrity of the criminal justice system. I'm inclined to agree with him.

1030

So if only for paragraph 5 in the proposals in the bill in terms of the terms of reference of the inquiry, if only for that—and that is the question whether private investigators contributed to laying the charges—and its predecessor, paragraph 4, the circumstances that led to the commencement of private investigations, I urge all fair-minded members of this assembly to support this legislation, and quite frankly to go one step further and to spare it the hypocrisy of sending it off into legislative orbit once it is passed so that it never sees a committee room.

It's imperative that this matter be resolved promptly. I reject any suggestion that this inquiry cannot take place while criminal charges are being laid and/or prosecuted because this is entirely separate and remote and distinguishable from that process. It's imperative that this be dealt with, dealt with promptly, dealt with in committee promptly and that an appropriate inquiry be established immediately.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): May I begin by thanking the honourable member for Ottawa West-Nepean for permitting me to speak for a moment or two about his private member's bill during private members' business.

We have a responsibility to do everything we can to protect society's most vulnerable members from the harm of sexual exploitation. This responsibility includes ensuring that, as a government, we do not engage in activities or other inquiries that would put investigations and prosecutions at risk.

The matters that the member for Ottawa West-Nepean is bringing before the House through his private member's bill are of great concern and should be taken very seriously.

As the Attorney General of Ontario and the chief law officer of the crown, I am obliged to inform all honourable members of the status of relevant criminal matters. There are currently outstanding criminal matters before the courts. Specifically, there are 12 matters, nine of which are scheduled for trial and three of which will be proceeding shortly. Holding a public inquiry at this time could interfere with these legal proceedings.

In the interests of justice and to ensure that we do not hinder these cases as they proceed, holding a public inquiry now could jeopardize these cases. In addition criminal investigations and analysis are underway. Th

police have worked very hard and continue through Project Truth to invest their time, energy and skills to ensure that all matters are carefully and thoroughly examined. Holding a public inquiry at this time could jeopardize these investigations. I emphasize the words "at this time." This bill is, of course, at second reading stage and therefore not at the stage at which it would become law through third reading and receiving royal assent.

It is, however, my duty as Attorney General to provide honourable members with the information which I have provided to the House.

May I once again thank the honourable member for Ottawa West-Nepean for graciously permitting me to speak to his private member's bill as Attorney General.

Mr Richard Patten (Ottawa Centre): First of all, let me applaud my colleague from Ottawa West-Nepean. We have many encounters and joint endeavours throughout time. I know that given his background as a family court judge this bill was not done lightly. Any of you who have read the background material that's been sent out, any of you who have seen the reports on television, who have received the letters or e-mails or phone calls that I have received in my own riding, will know that this is something that is pervasive throughout.

I applaud the member. It has taken great courage and some risk at a time in which I know he went through a bit of a downturn in his personal health. Mr Guzzo, I applaud you for that.

I also know that my colleague from Stormont-Dundas-Charlottenburgh has received calls and has had, frankly, some pressure put on him to turn aside and not engage in supporting this bill.

I think this bill is an indictment, frankly, of the whole process of justice and investigative law officers, and obviously implicates people in powerful positions throughout many institutions, including the church. When we look, as was referred to, at the police officer who stood up and performed his duties, as one should, and then had to leave the community because of threats to his life and his worry about his wife and children, it's a sad commentary. So we must persist.

I am not a lawyer, so I am not sure about the legalities or the inhibiting factors of an inquiry into this matter. I hear some people say no, it can be done, with certain parameters. The Attorney General is here today, and given the facts of what is before us, I think he should call an inquiry. We should pass second and third reading of this particular bill immediately.

At the end of the day, what are we talking about? We are talking about children and young people who are being sexually abused. I'm sure all members have instances and know of personal situations from people in their own ridings of what happens when youngsters go through that, and the psychological and emotional trauma, where people have scars for the rest of their lives. That's what we're talking about.

I want to applaud the citizens' committee that did this, the good people in Cornwall who stood up and provided

some information and helped provide Mr Guzzo with the information to continue to pursue this venture.

I will close on these comments: this is beyond partisanship. This is, first of all, a private member's bill, but it is an indictment of all of us. It is an indictment of the established order. It is an indictment of our system of justice and our law enforcement. We must get to the bottom of this. Who knows what is happening as we speak? This is not just confined to Cornwall. This is something that goes on even between Cornwall and other cities, and the United States of America, into Florida.

I support this. My colleagues support it. We would like to see this moved as quickly as possible so this can be addressed.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): It certainly is a pleasure for me to rise this morning to speak on this issue, namely, Bill 103. I do not have a legal background, so consequently my comments are going to be somewhat different than those of my colleague from Ottawa West-Nepean.

Ayant servi pendant neuf années comme maire de notre communauté, ayant servi pendant neuf années comme membre de la commission policière à Petrolia—we call it the police services board today—quatre ans comme Président de la commission, c'est avec cette formation que je veux discuter le projet de loi 103 ce matin.

Vraiment, la situation à Cornwall se présente d'une façon différente de celle dans la région de Lambton-Kent-Middlesex. Mais ma principale raison pour adresser ce sujet, c'est qu'il faut que nous fassions reconnaître à ces personnes qui veulent prendre avantage de la position qu'ils occupent dans notre société aujourd'hui qu'il n'était pas acceptable dans la passé, qu'il n'est pas acceptable aujourd'hui, et qu'il ne sera pas acceptable dans le futur de se comporter de cette façon.

I am not a social worker and I have no experience in social work, but it is my understanding, and we have to realize, that when young people are abused they are scarred for a lifetime. That is not acceptable. That is a social cost we cannot afford. We must put an end to this type of abuse because we are short-changing and, more importantly, impairing these individuals from forging their own life destiny. It is a terrible legacy we are leaving, as they have to live with this on a daily basis for the rest of their lives.

1040

I quote from an article that appeared in a newspaper in Cornwall recently. I'm not going to quote names, but this individual was charged with sexually abusing a boy under his supervision. The judge, calling it an isolated event, sentenced him to four months in jail and 18 months on probation.

We all realize that we have roles to play in society. We all have responsibilities to assume. Surely, as we enter this millennium, we must send a strong message. We must take a firm position that we must put an end to the abuse of young, vulnerable individuals.

Mr Brad Clark (Stoney Creek): I'm going to ask the members of the House and the people who are listening to imagine for a moment what a child who has been sexually assaulted has to go through to come to their parents and advise them that they have been molested. Imagine the courage and the strength and the faith and the trust that that child needs in their parents, because pedophiles abuse the children not only physically but mentally. They put a tremendous amount of guilt and fear upon them so that they are afraid to come forward. But at the end of the day, they come forward to their parents because they know their parents can make it right. They know their parents can make it better. Their parents embrace them lovingly and they reach out for help from the authorities.

Imagine, if you will, the parents now in the same position that the child was just in. They now need the strength and the courage and the trust and the faith in the authorities to step forward and ask for help. They know they can't protect their child alone. They have to appear before the police and ask for help from the people who serve and protect. Put yourself in the shoes of the parents when they step forward and the police come back after an investigation and state that there's no substance to the allegations. Put yourself in the shoes of the child, who has stepped forward with great courage, and they've been told that there is no substance to the allegations. The parents reach out again and, through public outcry, another police body is brought in and again the answer comes back: they have left no stone unturned and there is no substance to the allegations.

Then the parents have to do something very unusual. They have to reach out into their community and do a covert investigation to prove that what their children were telling them was true and that something had gone dreadfully wrong in our justice system and had failed these children, had failed to protect them, had failed to bring the perpetrators of this heinous crime to justice.

What kind of message does it send to the community when the justice system fails our people? The police are the great defenders, the great equalizers. They are the guardians of the public interest. They are the guardians of law and order. When it fails children, we have a major problem that needs to be looked into.

I'm not going to ask members in this House to vote one way or the other on the bill. I'm going to ask you to ask yourselves one simple question: have we done everything we can do to ensure that justice prevails for the citizens in Cornwall? If you can come into this House and can answer honestly in your conscience "Yes," then you know how to vote. But if you come into this House and you answer honestly in your conscience "No," or "I don't know," then you also know how you must vote.

Mr John Gerretsen (Kingston and the Islands): Let me start off by congratulating the member who brought this private member's bill forward. It isn't very often that we do this sort of thing in the House by members of other political stripes etc, but I can tell you, when I read his brief yesterday, it literally sent shivers up and down my

back. The seven-page letter, in which he details his own involvement since he heard about this situation, how he tried to deal with it and what the people of Cornwall have gone through over the last 20 or 25 years, calls into question not just whether a public inquiry should take place here but calls into question the reputation of all our institutions. For a member of the government to take the courageous step to bring this bill forward so it can get a public airing, so we can collectively do the right thing, I think is not only courageous but he ought to be complimented for that.

Time will not allow me to go through each of the seven issues he outlined in his letter, but each issue on its own merits would require an inquiry to take place. I know the Attorney General is saying, "We can't have a public inquiry at this time because of the criminal charges that are still outstanding." I say that is absolute nonsense. That is just another way in which we can once again take this situation, which in some cases has gone on for 25 and 30 years, and push it aside a little further, hoping that people will forget, that people will die off and that this mystery surrounding what may or may not have been happening in Cornwall over the last 25 or 30 years will just continue.

Every now and then it takes courage in this House for any particular member to do something that may not be all that popular. I realize there are people on both sides of the issue in the city of Cornwall itself, those who want a full inquiry and those who don't want a full inquiry. It's a very contentious situation. I can well understand that. But to do the right thing and say to the people of Ontario that what these people have gone through and the cover-up—that's the only word I have for it—that has taken place within the Cornwall police department and perhaps by the Ontario Provincial Police as well—we have to get to the bottom of this.

I would urge each and every member of this Legislative Assembly to put our partisan differences aside, do the right thing and vote for this bill. Let's have an inquiry. There may be certain aspects that the inquiry may not be able to deal with because of the criminal charges, and that can be left aside until the criminal charges are dealt with, but the vast majority of the issues he has raised in his letter can be dealt with right now. The fact that there are criminal charges outstanding right now has absolutely nothing to do with whether or not an inquiry can take place at this point in time.

I urge each and every member of this assembly to do the right thing. Government is about transparency, and surely to goodness, with the kind of situation that has occurred there for the last 25 to 30 years, a public inquiry is demanded. The people want it and I congratulate the member for bringing this issue forward.

Mr David Christopherson (Hamilton West): At the outset, I wish to add my voice to those who have already complimented the member from Ottawa West-Nepean for bringing this forward. It's not the smartest politics in the world in terms of what happens within the caucus of the government, but I think it has shown to this House

that this member, who in a former life was a judge, felt strongly enough to take the action he is taking. It doesn't happen very often.

If people are unsure whether or not there should be an inquiry, if you need no other evidence, then look at the fact that it's a government member, a former judge, who is bringing this forward. It's been supported by the Liberal member for the area involved. Our justice critic in the NDP caucus, the member for Niagara Centre, has lent his voice on behalf of our caucus to this cause, and for what it's worth, I want to add my voice, not just as a member now but as a former Solicitor General, in fact a former Solicitor General whose time was in the early part of this encompassing part of what's happening. In fact, the initial investigation that took place was during my tenure as Solicitor General.

1050

People will know that the Solicitor General in the province of Ontario has ultimate responsibility for all police because he or she is accountable for the legislation that provides the foundation for all policing. In fact, the Solicitor General is the de facto police services board for the OPP. The direct accountability back to private citizens, to the public, for the OPP is through the Solicitor General. The issues raised here are so important because they deal with not just the activities of local police but the provincial police. The OPP has a special place in our configuration of policing, and they're very unique.

It also gets into the area of public and political accountability in terms of Solicitors General and Attorneys General sitting at that time and now, and whether or not there are reasons why Solicitors General and Attorneys General haven't taken action before now—huge implications.

I have one minute left. Let me say very emphatically that I do not believe it is mutually exclusive that you can hold the greatest respect for the police and the work they do and still believe strongly that there has to be public accountability, because without public accountability, civilian oversight, the answerability to elected people, we don't have the standards that ensure we have the kind of policing that we have.

And let me say we have the finest policing in the world, but nothing is perfect. People aren't perfect; systems aren't perfect. If the citizens of Cornwall have not been able to find justice, in their opinion, through the existing procedures, then their last hope is this place, and if they don't find justice in this place, where are they going to find it? For the Attorney General to say that we can't do this because there's an ongoing investigation, let him make that submission to the inquiry. This inquiry needs to happen for the basis of democracy—

The Acting Speaker: Thank you. Further debate?

The member for Ottawa West-Nepean.

Mr Guzzo: I wish to express my thanks to the members opposite and my colleagues who have spoken on behalf of the proposed legislation.

I have to make a couple of comments. I have to interject with regard to the comments of my colleague the

Attorney General. There are examples in this province and in this country where criminal charges have proceeded along with an inquiry of this nature, without disruption. Having said that, I also have to comment that if the OPP is looking at laying additional charges at this time, I don't think that's a legitimate excuse. I don't think we can sit back and wait. They have had since 1993, and the evidence in the most recent charges was available years before Christmas Eve of 1994.

I also want to draw to your attention that the Ontario Provincial Police have announced the windup of Project Truth on four occasions. Four times they have said to the press, "We'll be out of there at the end of the month." The most recent was May. They said, "We'll be finished by June." We're now told they're looking at additional charges. Every time they made that announcement, additional charges flowed.

I don't know and I can't explain and I would be speculating as to why I have been stonewalled on this and what the hesitation is in proceeding forward. I know the explanation of what happened in the 1950s. As a youngster growing up in the Glebe section of Ottawa, I played in Lansdowne Park. I saw youngsters released from the Alfred training school and on the run from the Alfred training school come into the playground bruised from their hips to their earlobes, welts the size of footballs on their backs. They told us, and I listened intently, like every other kid, you know, about the physical abuse and the sexual abuse that was going on there. People knew. The late Bill Bestwick, sports editor of the now defunct Ottawa Journal, had children in the area. He took the issue to his publisher, the late Senator Grattan O'Leary, who interceded—a powerful man in government, a powerful man in the church—but to no avail.

I remember two neighbours of mine taking the matter up, two local members of the governing party—absolutely no action. I walk by the pictures of those two members every day as I walk from my office and come into this House, and it never ceases to amaze me. I never cease to ask the question, what possibly could have happened? How powerful were the forces? Quite frankly, I am at a loss to explain the forces that are taking place at the present time.

I've had calls and I've had pressure. It's been disruptive, I can tell you, both for me and my family. It's come from Cornwall, it's come from Ottawa and it's come from Toronto and elsewhere. It's come from my profession, it's come from my party and it's come from my church. But the pressure I have experienced, quite frankly, is nothing compared to the pressure that the member who lives in the Cornwall area, from Stormont-Dundas, has experienced. He lives with it every day. He set a standard in this House on this bill that has to be recognized and has to be appreciated. It's something that each and every one of us should try and emulate. I thank him for that on behalf of the very vulnerable constituents in his riding that he so capably represents by taking that steadfast position and showing the strength of character that he has demonstrated.

If this were not on family-time television, if it wasn't possible for youngsters to be looking in, and if I was of a mind to try and inflame this situation, I would read to you extracts from some of the statements and some of the affidavits that were served on the Attorney General and OCCPS, every bit as tragic and every bit as brutal in description of what happened as the statements that were used in the tragedy that was the training school allegations, which resulted in our Attorney General, Jim Flaherty, standing in this House and offering that apology a few months ago.

I want to sum up and say to the people of Cornwall that I appreciate the support and strength they have shown by coming forward and offering support for this bill, offering support to their member and the other members of the House. It's not an easy issue. It does divide the community. There are two sides to the story. How far do you want to go back?

When Mr Flaherty stood in this House a few months ago and apologized three years after the payments to the victims of the training school, he said, "I apologize on behalf of every citizen, past and present, of this province." Is some Attorney General going to stand here in the year 2050 and apologize to the victims of the Cornwall situation and their families on behalf of us? I know how I remember the members whose pictures I walk by on a daily basis. It's not a positive feeling. Do we want to be remembered that way, and if so, why? Who is benefiting from what is happening?

In criminal law, when you get involved in situations, you know you can always follow the money. Follow the money and you get to the guilty parties. But in situations like this, there is no paper trail, there is money trail. Who is benefiting, and for what possible reason? Are we benefiting the victims? Are we benefiting the families of the victims? Are we really here to try to protect a pedophile group? Is that what this country is all about? Is that what the party whose government I represent is all about? I sincerely hope not.

The Acting Speaker: This completes the time allotted for this ballot item. The question will be put at 12 noon.

1100

CHILD AND FAMILY SERVICES AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

Mr Martin moved second reading of the following bill:
Bill 118, An Act to amend the Child and Family Services Act / *Projet de loi 118, Loi modifiant la Loi sur les services à l'enfance et à la famille.*

The Acting Speaker (Mr Michael A. Brown): The member for Sault Ste Marie has 10 minutes.

Mr Tony Martin (Sault Ste Marie): Before I start, I want to thank some people who helped me prepare for today and put together the information I was able to share

with members around the Legislature and to put forward this bill. My legislative assistant, Susan Walters; a person in research for us in the NDP caucus, Trish Hennessy; the Algoma Children's Aid Society and the executive director, Hugh Nicholson; and the Ontario Association of Children's Aid Societies and the encouragement I got from Sandy Moshenko there.

Over the last 15 years, the media has brought to our attention many situations in which children were physically and sexually abused by caregivers other than their parents. Many of these caregivers were trusted professionals such as clergy, teachers and residential supervisors. Some of the more dramatic cases in Ontario include staff from Sir James Whitney School for the deaf, the Sault Ste Marie Roman Catholic district separate school board, St Ann's Residential School, St Joseph's Training School, Grandview school for girls, St John's School for Boys, Pelican Lake Residential School, and the list goes on.

The Law Commission of Canada report prepared by Goldie M. Shea in October 1999 reports over 200 charges of abuse involving 47 caregivers in the 1990s alone. The Children's Aid Society of Algoma told me this number represents the tip of the iceberg. Many other cases are confirmed by them but never prosecuted in the criminal courts. In most of these situations, the abuse went on undetected for years. When victims came forward, they often were not believed and, in some cases, punished for identifying the problem.

We all want to believe these were isolated incidents and that this could never happen again, but history has proven us wrong. We can't ignore the fact that abuse by institutional caregivers is an ongoing reality. The current case in Cornwall is an example of this. There are some serious flaws in the system that allow these cases to go on undetected for so long. Unless we take a careful look at the system and address the problems that allow this to happen, our children remain at risk.

The criminal investigation and prosecution of the perpetrators is often the first point of public awareness. This, however, is far too late, as the abuse has already happened and the lives of far too many children have been destroyed. What Ontario requires is a strong prevention and early warning system. This system must have the power to investigate risk to children and the authority to take appropriate action to eliminate or reduce the risk.

Under section 15 of the Ontario Child and Family Services Act, children's aid societies are responsible for protecting children and preventing abuse. The Child and Family Services Act outlines specific measures a children's aid society can take in investigating and protecting children at risk in their home. While the act also expects the children's aid society to protect children under the care of institutional caregivers, it fails to include any measure to support their role.

Considering the weakness of the Child and Family Services Act, it is easy to see why the detection and early warning systems have failed. The system will continue to

fail these children unless the legislation is changed. Immediate action is required, because the longer it takes to make the changes, the greater the number of victims.

The Children's Aid Society of Algoma, in their response to the Honourable Sidney L. Robins report, *Protecting our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, identified the action that is required. In that report they said children's aid societies need (a) a clear definition of their role and authority with respect to investigating and preventing abuse by institutional caregivers, (b) the power to take action to prevent further abuse when children are at risk and (c) the authority to report the results of investigations of institutional caregivers to the people in charge of the institutions.

In addition, the current duty to report children at risk needs to be clarified. The six-month statute of limitations in the Provincial Offences Act should come into effect only when the child is no longer at risk. This would increase the incentive of other people working in the institutions to report abuse, because the responsibility cannot be avoided through delaying.

The Children's Aid Society of Algoma has made a number of recommendations for changes to the Child and Family Services Act. In June this year, the Ontario Association of Children's Aid Societies' provincial board of directors supported the legislative changes recommended in the report of the Children's Aid Society of Algoma and, in August, sent a report to the Honourable James M. Flaherty, Attorney General of Ontario, recommending those legislative changes. To date, there has been no response by the Attorney General.

Bill 118 proposes amendments to the Child and Family Services Act that would make the change proposed by the Ontario Association of Children's Aid Societies while at the same time protecting the rights of the caregiver. With these amendments, families and children in Ontario can feel safe, because they know the province has taken steps to ensure the safety of children when they are under the care and supervision of others.

This bill will provide better protection for children against sexual abuse within schools and caregiving institutions. This bill would put children's aid societies in a better position to ensure children under the supervision of caregiving institutions are protected. The bill ensures that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and other caregivers.

It also allows child protection workers the authority to apply for appropriate court orders. It authorizes child protection workers to disclose the results of an investigation and information in the child abuse register. It places duty to report child abuse on persons performing professional or official duties with respect to children, a duty that remains in place until the risk of abuse ends.

Mount Cashel, Grandview high school—formerly Sault—residential school abuses: until the late 1980s, the systemic sexual abuse of our children within formal institutional settings such as schools and churches has

remained cloaked under the darkness of secrecy. As a society, we were in deep denial. We simply refused to believe sexual abuse could happen. We refused to believe that people entrusted with the authority of teaching or caregiving would abuse their positions of trust by sexually abusing our children. Sexual abuse of our children simply wasn't talked about, it wasn't something we thought about and it certainly wasn't something we acted on.

As the reality of child abuse rears its ugly head, years and even decades after the origin of the abuse, it is becoming painfully obvious that we as a society have failed to protect our children from the very people who were employed or who volunteered to help them. The result is that many children suffered the indignities of abuse, and the system failed to protect them.

In Sault Ste Marie, my home community, layer upon layer of school and community officials covered up the abuses of a sexual predator for three decades before teacher Kenneth Deluca was finally brought to court and convicted of 14 separate sexual offences involving 13 victims. The crimes took place from 1972 to 1993. Each was committed while Deluca was a teacher with the former Sault Ste Marie Roman Catholic separate school board. All his victims were females. All but one were students. Their ages ranged from 10 to 18.

1110

The Honourable Sydney Robins reviewed the Deluca case in specific and the situation of sexual misconduct in Ontario's schools in general. About Deluca, Mr Robins writes, "Deluca's crimes represent the ultimate breach of the trust reposed in a teacher. He was every parent's nightmare—a teacher who sexually preys on students. His conduct severely damaged his victims' physical and emotional wellbeing and, in some cases, has had devastating impact on their lives."

As early as 1973 complaints surfaced about Deluca's sexually abusive conduct. Students, girls as young as 10 years old, were cornered in supply rooms, were verbally harassed, were touched in sexually inappropriate ways, and worse. Dozens of students registered complaints. They were survivors. They told their parents. They told their teachers. They told their principal. They told school board members. They told the police. For three entire decades no one did anything to stop the abuse.

I am here today to ask my colleagues to now do the right thing. We have the power here today to take a move that will give the children's aid society the authority they need to investigate these abuses when they happen.

The Acting Speaker: Further debate?

Mr Bart Maves (Niagara Falls): It's a pleasure for me to rise today to speak to the member for Sault Ste Marie's Bill 118, An Act to amend the Child and Family Services Act. I want to commend the member for this initiative. As he's mentioned, I think this stems out of a terrible situation in his riding where a former teacher with the Sault Ste Marie Roman Catholic separate school board was convicted on April 19 of 14 counts of sexual assault of 13 female students over 20 years.

The Honourable Sydney Robins was appointed by order in council to review the incidents and report back to the Attorney General. When Justice Robins went in and looked at that particular situation, he thought that it needed a broader look and indeed broadened the terms of his investigation and his report. From it came the Robins report on abuse by teachers of kids in schools. The report is an important one and perhaps has not been given enough attention by all of the adults in our systems: in our teaching system, in this House and elsewhere.

There have been very many recommendations made by that report that pertain particularly to a ministry that I am the parliamentary assistant for, the Ministry of Community and Social Services, and we've actually implemented many of those recommendations. Clearly, all members on this side of the House can understand why he would bring such a bill to try to react to Mr Robins's report and to tighten up the Child and Family Services Act in the manner in which he's proposing. In my look at the bill, a lot of what is proposed in his bill is actually already covered in our legislation, the Child and Family Services Act, which we amended in 1999. We did a huge revamping, in actual fact. I can give some examples.

Bill 118, the member for Sault Ste Marie's bill, proposes to add that we should "investigate allegations or evidence that children in a caregiving institution who are under the age of 16 years may be in need of protection." The present section 15 is actually broader than that. Children in caregiving institutions are already included.

There's the desire in the bill to actually list teachers and other caregivers who should be included under this. There's a danger there—and I believe some of the other members are going to talk about that—in starting to list people in legislation and missing some caregivers. The way the legislation reads now is that it's very broad with regard to "caregiver" and some argue that's a better way to have an act read than to get too definite on who is covered.

Bill 118 proposes that the duty to report under subsection (1) continues each day until the risk to the child ends, which means we've put an obligation on a caregiver of the duty to report child abuse—professionals, teachers and others. This moves that that duty should continue until the risk ends. If you look at the Child and Family Services Act, the intention in that amendment is already covered in existing subsection 72(2), where it says, "A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child."

That's just a quick glimpse at some of the sections of the bill that I think are already covered in the Child and Family Services Act. I think some of the proposals in the bill might in fact be detrimental to what's already in the Child and Family Services Act. But I definitely think it's appropriate that we discuss further what the member has put forward, because in some instances some of the clauses he has put forward may indeed enhance the

protection for kids. It may indeed be an improvement to the Child and Family Services Act.

So I intend today to vote in favour of the bill. I encourage all my colleagues to do the same. I think we need to spend more time discussing the contents of the bill. As I said, I think a lot of it is already covered in the Child and Family Services Act. I think some of the content of the bill might actually weaken some of the provisions of the Child and Family Services Act, but I'm certainly open to a broader discussion of not only Mr Robins's report and the problem of child abuse in the province but any modifications we might need to make to tighten up the Child and Family Services Act.

Mr Michael Gravelle (Thunder Bay-Superior North): It's a privilege today to speak in the House on this important bill by the member for Sault Ste Marie. I want to certainly commend him on Bill 118. I think it's a very important bill. I know it's an issue that's very important to him in terms of the circumstances in Sault Ste Marie, but I do think it's fair to say that all members of the House should treat it with seriousness, regardless of the precise situation that brought this about for the member for Sault Ste Marie. It's important that we all support this, and certainly I'm looking forward to having that opportunity.

I want to just simply let the members of the House know that recently I was appointed by my leader, Dalton McGuinty, as my party's critic for community and social services. This is an enormous responsibility and I'm honoured to take it on. I look forward to the opportunity to speak very often on a number of issues related to community and social services.

I do believe that we as legislators are not speaking often enough and not taking enough opportunities to speak about social issues in this House, issues that affect the welfare of children, the poor and disadvantaged members of our community. I intend, through my work as critic, to raise many of those issues at every opportunity that I can.

Today we are here discussing specifically Bill 118, a private member's bill that proposes changes to the Child and Family Services Act—important changes, I believe. You will recall that we had unanimous consent in the House to pass the Child and Family Services Act a couple of years ago, but I think there were some missing parts to it and I believe that the member for Sault Ste Marie has addressed them with this private member's bill today.

It's an important bill because it goes even further than the provisions of the Child and Family Services Act. It's a bill that provides much needed legislative clarification so that the role and ability of Ontario's children's aid societies to investigate allegations of abuse by employee in a caregiver role is absolutely clear. I think that's what's so terribly important. It's a bill that I believe is ultimately intended to ensure that no child in Ontario endures the horrific breach of trust by a trusted caregiver that has been felt by too many children in this province's history.

We're not simply referring to incidents from the distant past either. Today's earlier resolution by the member for Ottawa West-Nepean spoke of the shameful situation in Cornwall, and certainly it was a timely resolution when you consider the daily news reports of the pain and suffering that continues to haunt the victims of abuse from that community.

The member for Sault Ste Marie has already spoken about how this bill is meant to address the kind of horrific incidents that took place in his home community. The member also spoke of how the system failed to protect children in his community from the indignities of abuse by continuing to shelter the actions of a repeat offender. We as a society know there is nothing more tragic than the loss of innocence of a child. Therefore, I believe that we as legislators must do everything we can to ensure the protection and well-being of all Ontario children.

1120

It is for those reasons that I am supporting Bill 118. As you know, Speaker, this bill has been supported by the Ontario Association of Children's Aid Societies. Indeed, the association wrote to the Attorney General this past July, urging his government to bring forward legislation such as the legislation being brought forward by the member for Sault Ste Marie. They've also asked the minister to consider other legislative changes as recommended in the Robins report, and I can only hope that the minister will be doing so.

Bill 118 gives children's aid societies the clarification and the authority they need to protect our children. Without these changes, the CAS's role with respect to investigating child abuse by institutional caregivers is simply ambiguous. We can't have that. The children's aid societies' ability to conduct and communicate the results of an investigation is limited. Children's aid societies will have no authority to follow up to ensure that children are safer in these settings.

These are important issues, and I encourage all members of the House to support this bill today. The truth is, we are here to fight for and to protect Ontario's children. If I may say so, that means beginning to also address some of the issues and social realities that are continually faced by some of Ontario's most disadvantaged people.

Certainly we have the fact of the study by the Caledon Institute of Social Policy, which reported that many of Ontario's families are not better off despite the booming economy. We have the pure fact that one in five Ontario children continues to live in poverty, which is a shameful thing none of us should accept. There is the fact that government policies towards persons receiving social assistance are mean-spirited and without compassion at any times. This includes policies that rip the national child benefit out of the hands of those who could benefit most from it; policies that require persons needing assistance to apply for it on the phone when they often can't get through on the phones; policies that place liens

on homes and threaten the education funds of children of low-income families.

We have unbelievable and inexcusable delays in having cases heard at the Social Assistance Benefits Tribunal, and persons with disabilities having to wait a year and a half for assistance through the severely underfunded home and vehicle modification program.

The list goes on and on. There's a chronic underfunding of almost all of our social service agency partners, and their ongoing difficulties with pay equity.

These are all issues that we as legislators should be and need to be talking about more, and doing something about. As the member for Sault Ste Marie put it, Bill 118 is not the final word on what we, as legislators, can do for Ontario's children, but certainly it is a beginning.

The Acting Speaker: Further debate?

Mr Rosario Marchese (Trinity-Spadina): I want to take this opportunity to congratulate my colleague from Sault Ste Marie in introducing this bill and take the opportunity as well to thank the member for Ottawa West-Nepean for the bill that he introduced, because they're very similar. That bill was called Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000. He introduced it in the spirit of a member who is genuinely affected by what he sees as a cover-up and what he believes does no justice to the people who have been abused, and wonders who it is that we are protecting in that instance.

I'm on his side. I felt the emotion of Mr Guzzo's words and felt the fortitude that this individual has to be able to bring it forth in the context of a caucus that may not be supportive or only partially supportive. I admire that, to the same extent that I admire my colleague for bringing Bill 118 forward as a way of dealing with the ongoing issue of child abuse and sexual abuse, something that I'm reminded isn't a thing of the past but forever in our minds and forever in our lives.

One would like to believe that it was something that only happened in the past, but it happens over and over again. The perpetrators probably have become much more sophisticated because public attitudes have changed, as a result of which many know that they can't get away with these heinous crimes as they once might have, and still are, it seems, in the case of Cornwall. They know that their crimes have to be well hidden in order to be able to escape what they do. But it's just a question of time until society catches up to those crimes and deals with them effectively.

In my mind, sexual abuse is the worst violation of a human being that could be levied upon that person. It's the worst violation. It is an unspoken trust that people in official capacities have with having the care of young children, an unspoken, solemn agreement that they have between each other. The people who breach that agreement, in my view, are scum. They're slime. They're the lowest order of human life, in my mind. It is inconceivable that such crimes exist, that there could be people out there who could commit such acts against young people who are so vulnerable, so defenceless in those

early years. That there could be men that could take advantage of a young child, a young person, like that is to me unfathomable.

I know most members feel the same way. How could you not? How could you not, as a normal human being, see such acts or hear of such acts and not be so utterly disgusted? We know that when such things happen, they affect the being of that individual forever. It isn't just such a simple act of an abuse that can simply go away in a moment. It may be a moment of ugliness that is committed against a young person, but against that young person, that action is on his or her mind for a whole lifetime. It alters the human being. It alters the psychology of that human being. It alters the physiology of that being. It affects his entire life in a way that some of us can't understand. But I understand that if it should happen to me, I could never, never forget it and could never leave it. That's why I say it's the worst violation against a young person that we could all be experiencing. So it's a duty on our part, as politicians, to make sure that we pass laws that protect the most vulnerable.

If the member from Niagara Falls says there may be things in this bill that might do more harm than good, let's investigate it in committee. I don't know how such a bill could do more harm than good—or might make it worse. I'm paraphrasing his language.

"The bill ensures that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and caregivers." I think that's an easy thing to understand.

"It also allows child protection workers the authority to apply for appropriate court orders." That's simple to me; I don't know how that could hurt more than it does good.

"It places a duty to report child abuse on persons performing professional or official duties with respect to children, a duty that remains in place until the risk of abuse ends."

I'm a reasonable-minded person and I think these are reasonable-minded proposals that my colleague puts forth. But if the member from Niagara Falls feels, on the basis of advice that he's gotten from ministry staff, that maybe there's something here we should look at, let's send it to committee and we can discuss that. I've got no problem with that. Our problem often is that such bills are sent to committees and they tend not to get dealt with. That's my only problem.

But I see this bill as a non-partisan bill. We're not protecting political parties. We don't have to protect anyone in this chamber—the government or opposition members or anyone. There's nobody that needs to be protected in this place more than the children that this bill attempts to do. So I see it as a very non-partisan issue.

If the government, at the end of the day, feels that somehow this is a good bill, it can appropriate it, put a different number to the bill, present it by their Minister of Community and Social Services, and it's done. We have no problem with that. In the end, if you believe this is a good bill, appropriate it and make it yours. No problem,

because what comes, in my mind, first is the protection of our children.

1130

On the other hand, if we're going to support this bill, children's aid workers are going to be needing help. Children's aid societies are going to be needing help because they're underfunded as it is and we have to make sure that if we support such bills there is appropriate financial support that comes with it so they can do the job appropriately. The job has to be done by human beings, and when they're understaffed and underfunded it can't be done very effectively. So if we do send it to committee and eventually it gets supported, we will hopefully see the government put some money into the bill as well.

But with respect to whether this bill is an appropriate one or not, I want to make reference to the fact that the Honourable Sydney L. Robins, whom my colleague from Sault Ste Marie made reference to, in his report *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, makes a number of recommendations that clearly point to the inadequacy of the Child and Family Services Act at the moment. That is why the member from Sault Ste Marie has proposed these changes. It is on that basis. It wasn't something that he invented on his own, but rather someone with a great deal of expertise, having studied the matter, said, "We need to make changes."

So if the member from Niagara Falls feels, on the advice of staff I guess, that maybe there's something else we should look at, we'd be more than happy to review that. But children's aid societies and this judge obviously have identified some problems and they are here in the form of Bill 118 as a way to correct some of those deficiencies or inadequacies of the Child and Family Services Act. So even if in my mind there is some doubt that what we are proposing might have merit, we hope that—

Interjections.

Mr Marchese: Tony's bill.

If you have doubt about the merits of this bill, even if there's the slightest doubt that somehow he might be right, I just hope the other members, the few that are here or the few that might be coming, will support the bill and, in doing so, send it to committee and, in doing so, hopefully deal with it and have all the appropriate amendments that need to be made. Have a full public discussion where we invite people like Judge Robins, invite children's aid societies and others who have an interest in this so that they can make appropriate recommendations or other suggestions they might want to make.

I congratulate the member for having introduced the bill. I think it's a good one. I think it moves in the direction of protecting our young people in the way that young people ought to be protected. I am convinced the members of the government will support it and we can move on to do what we need to do as legislators.

The Acting Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join in the debate with respect to

the member for Sault Ste Marie's bill. From what I understand, the bill's intention is to ensure that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and other caregivers and to apply for appropriate court orders. In addition, I understand the bill seeks to require that the duty to report continue until the risk to the child ends and to permit disclosure of information in the child abuse register to caregiving institutions and to employers of caregivers.

Certainly this is a very serious issue. The protection of a child is something that is entrusted, especially when you're involved in the school system, to our teachers.

The situation that arose out of this that the member from Sault Ste Marie refers to is a very serious situation involving a former teacher who was convicted in 1996 of 14 counts of sexual assault of 13 female students over 20 years. Arising out of that was the Honourable Sydney Robins's report, of which all the members are aware, and certainly I'm aware of it in my role as parliamentary assistant to the Minister of Education.

The Robins report goes a bit further in terms of the protection of a child to also deal with the College of Teachers and the school board's role with respect to that particular situation. I have experienced within my riding a situation that was fairly high-profile recently in Simcoe county with respect to a teacher who was involved in conduct of a sexual nature towards a young male in terms of passing on notes, 64 in total from what I understand. That matter initially, from my information, was handled by the children's aid society under their powers to investigate. I think to bring this debate into context, the power of a children's aid society to investigate when a child is or may be in need of protection is provided by statute and regulation.

Subsection 15(3) of the Child and Family Services Act states that the functions of a children's aid society are to "(a) investigate allegations or evidence that children who are under the age of 16 or are in the society's care or under its supervision may be in need of protection." The new regulation which was introduced on March 23, 2000, made under the Child And Family Services Act, entitled *Procedures, Practices and Standards of Service for Child Protection Cases*, states in section 2 that "within 24 hours after receiving information that a child is or may be in need of protection, a society shall decide, in accordance with the Risk Assessment Model, whether or not a full child protection investigation should be initiated with respect to the child or any other child in the same family." So the act and the regulation taken together provide the mandate and set out the power of the children's aid society to conduct investigations.

Section 37 of the Child and Family Services Act, in clauses (c) and (d), makes reference to a person having charge of a child committing the abuse or failing to prevent the abuse. It uses this language to indicate that actions or failures to act of all caregivers—that is, all persons having charge of a child—are grounds to find a child in need of protection.

Teachers and other personnel in educational settings are clearly persons in charge of children during the periods of time when the children are in school or in some other setting in which they are responsible for the care and supervision of the child. I would say that the ministry has always taken the position that teachers and volunteers are in a position of trust and authority vis-à-vis the children in their care, and widespread practice in the field and in the courts clearly supports this position. That's in fact what happened in the particular case that occurred in Simcoe county.

I think where the member is trying to address this situation, he has to be lauded for it. We want to make sure that we investigate all courses of action to make sure that a child's protection is mandated through law. I would say that certainly in the case in Simcoe county that in fact happened. When we look at all the circumstances of the case and you review the Robins report, the protection of the child has to be paramount in the calculation and the determination that's made by the group involved. When we're dealing with teachers and caregivers who are dealing with the child, that covers the situation where the College of Teachers and also the school board put the primacy of the child's protection first, because I'm quite confident that in the situation in my riding, the children's aid society did their duty with respect to investigation and put the child's interest first.

So in line with the statements of the member from Niagara Falls, I think his comments are well taken and I'll support in principle what he has stated.

Mr Ernie Parsons (Prince Edward-Hastings): I am pleased also to rise and support this bill from the member for Sault Ste Marie. I quite frankly am surprised that there's a need for the bill. I did not realize that these requirements were not in the act. Given that the act was just revised back in 1999, I'm surprised it wasn't inserted at that time.

I'm aware that this is a very difficult issue, and I say that because I think every caregiver fears that there will be a malicious allegation. There certainly are some. In my years as school board trustee and in my years on a CAS board, I know that there have been allegations against staff members and against teachers that have proven to be unfounded, which has assured me that the justice system works. On the other hand, I believe that there are probably more incidents than we are aware of, so I absolutely concur that we need to give powers to have the investigation take place.

1140

I am now in my 24th year as a CAS board member, and my family and I have fostered for 14 years. A majority of the children we have fostered have had sexual abuse in their lives—not all, but substantial numbers. Sexual abuse profoundly alters that child's life path. It is something that will never be forgotten and just completely changes the fabric of who they are and where they're going. It absolutely robs them of their childhood; it is gone forever. The worst thing that can happen for a child who has been abused is to make a report, make a

disclosure, and have nothing happen. It causes several things that come out of that: one is that they will probably never disclose again if no action is taken the first time, and they probably have talked with classmates or other children in the institution who will get the message out of the lack of action, that there's no point in them reporting either.

We have foster children who have reported and the assailant has not been convicted. Then another family member is disclosed and the child has said, "I'm not going to report again. I'm not going to be involved. Nothing happened last time, other than I was punished by my caregiver. I'm not going to have that happen again."

In my own area, and I'm a board member of the Hastings Children's Aid Society, but I know also for the Prince Edward County Children's Aid Society and for the school boards and the police in our community, we established a protocol that caused this to happen. Even without the legislation, locally it was put in place to ensure that the schools and the institutions work with the children's aid, because for someone who's accused, the best thing that can happen to them is to have an investigation. Better that than there being rumours or a whisper campaign.

It is best for the one who is accused to have the investigation. It is paramount for the child that we listen to them. I have to wonder why it wasn't already in the act for it to take place. I mentioned earlier that, naturally, there is concern about malicious allegations, but I believe the number of children who have been abused is probably far greater than we have a handle on. We simply don't comprehend how difficult it is for a child to make a disclosure. The words they have to use are embarrassing; the acts they have to describe are demeaning. It is a tremendous responsibility on our part as a Legislature to empower them to make a disclosure and to ensure that there is a reaction to it involving a complete and full investigation.

I don't think there is anything better we can do in our lives than to protect our children. As other members have mentioned, sexual abuse against a child simply lingers in their mind forever and affects future relationships with so many other people that we simply must pass this amendment to ensure we protect the children who are in the care of institutions we are ultimately responsible for. I applaud the member from Sault Ste Marie for bringing this forward and I am most pleased to support it.

Mr David Christopherson (Hamilton West): Right at the outset I want to compliment my colleague Tony Martin, the member for Sault Ste Marie, for Bill 118. Anyone who knows Tony would not in any way be surprised that this is the sort of private member's bill he would bring forward.

There may be those who don't know that prior to coming to this place, Tony was the director of a food bank, well known and well respected in the city of Sault Ste Marie. As I have come to know him over the years, it's been clear to me that the reason he's here is because

he sees public office as an extension of what he did before.

He has a vision of what Ontario should look like and his community of Sault Ste Marie within that. He believes that if the right kind of changes were made—where only the authority lies to do it, which is this place—then maybe food banks wouldn't be needed. For those of us who have got to know Tony over the last 10 years, everything he has done has been for the advancement of a better Ontario, and it's always, always, people-related. Having said that, let me also say that I think Bill 118 is exactly the culmination of what this place is about and what local elected office is all about.

You had a situation, and other colleagues have referenced it, that took place not that long ago, in fact from 1972 to 1993, and 1993 is not very long ago. It's still happening today. He took a local situation, realized that there were gaps in the law, that there were improvements that could be made, and took it upon himself to use one of the few opportunities an opposition member has to present a piece of legislation, to do something positive, progressive, something that actually takes things forward rather than just the role of being a critic and opposing the government. In doing so he has brought to light, I think—and certainly from hearing from the parliamentary assistant—areas where there could and should legitimately be improvement.

The member from Sault Ste Marie has pointed out that for three decades a situation was allowed to continue that, if known by proper authorities, one believes would not have happened or would have been brought to a halt. But it didn't. There was a systemic problem and there was the fact that the board saw it as their initial responsibility to decide whether there really was merit to the allegations that were being made—a very difficult situation to put any organization in.

The bill we have here in large part says that where there are allegations, you not only have an opportunity but a responsibility, an obligation under law, to report those to the children's aid society, and the children's aid society would then take responsibility for determining through investigation whether crimes against children were being committed, and then provide steps so that adequate authorities can be brought in and that there is accountability.

To colleagues in this House, this is exactly what this place is all about. It's about being a local member, taking a local issue that matters to you and to your community, identifying why something happened and what can be done to prevent it in the future, and then using your opportunity here as an elected member, the honour we all have to be a member of this place, to rise in your place and present a bill that says, "Based on the experience in my home town"—in this case, Sault Ste Marie—"here's a bill that will make Ontario a better place."

To end my remarks where I began, that's exactly why Tony Martin is here. That's why the member from Sault Ste Marie is such an excellent representative, and I believe why he continues to get elected over and over

because he's here for the right reasons. Bill 118 is all about doing the right thing and I hope he will get unanimous support when we call for the vote.

Mr Garfield Dunlop (Simcoe North): I'm proud to be here today to speak in support of Mr Martin's Bill 118. I'd like to start off by applauding him for bringing it forth. I worked on Bill 35, the Franchise Disclosure Act, with Mr Martin and although I didn't always agree with everything he said, I certainly know how sincere he was in his understanding of that bill.

We all know why we're here today. We're here to discuss the protection of children, and the gravity of this issue cannot be overestimated.

The Sault Ste Marie former separate school board teacher Kenneth Deluca was convicted on April 9, 1996, of 14 counts of sexual assault of 13 female students over a period of 20 years.

The Honourable Sydney Robins was appointed by order in council to review the incidents and report to the Attorney General. That report was released last April. The report contained several recommendations concerning changes to the duty to report that a child is or may be in need of protection under the Child and Family Services Act. That is why our government took action to address the recommendations. The CFSA amendment act was proclaimed on March 31, 2000. Through this legislation we have strengthened the duty to report that a child is or may be in need of protection.

There are a few problems with Mr Martin's Bill 118. I think we all agree that the intent of the bill is good, namely, to better protect children; however, there are some problems with it as well. The notion of creating lists certainly opens a whole can of worms. Our current Child and Family Services Act defines caregiver in a very broad fashion. If you create lists, as this bill asks, you might, by definition, leave people off. This could create real problems afterwards. For example, what would happen if we forgot to put soccer coaches on the list and there was an incident of abuse between a coach and his or her player? Would they then be exempt?

1150

I believe it is critical that the act remain as it is. The act is correct in broadly defining caregiver. Clearly, anyone looking after a child is its caregiver. The law couldn't be more simple than it is right now. It would be dangerous to go down the road of creating lists saying this person is on and that institution is off. We are only going to create problems down the road.

I'm confident our child welfare reforms, including our amended CFSA, are providing the greatest protection for the children of this province. I congratulate the member opposite for bringing forward this bill. Clearly his heart is in the right place: child protection should be the number one priority of everyone in this house. While I am very proud of the work our government has done in this area—the CFSA amendments and the ongoing child welfare reforms—I still support the spirit of this bill: to better protect children. It is worthwhile for this bill to go

to committee. If there are good ideas contained in it, they should be carefully considered.

In conclusion, I'd like once again to thank the member for Sault Ste Marie for his private member's bill. However, I really believe our government has already implemented most of the recommendations contained in the Robins report. I still think, though, that if there's anything at all that's untouched in the Robins report, we should take a serious look at it through Bill 118. I look forward to seeing it go to committee and to supporting it here in a few minutes.

Mr Rick Bartolucci (Sudbury): I stand today in support of Bill 118, and compliment the member from Sault Ste Marie for bringing it forward. In many ways, the member from Sault Ste Marie is a voice for victims. I read with interest the 71 recommendations the Office of Victims of Crime made and then listened to the member from Sault Ste Marie, and I say he gets the message. It's important that we become the voice for victims.

That's what Bill 118 is all about. It's a very proactive way of ensuring that what has happened in the past won't happen in the future. Our children are our treasures. They are the community of the future, which will reflect and define the values of the present, especially our values, because we are charged with the wonderful task of promoting and passing legislation. Bill 118 sends a very positive message to the children in our society of Ontario. It says, "We care enough about you to make sure the tools are in place to protect you in many different environments."

I was blessed in my former job, spending 30 years teaching and associating with children. It is indeed horrific when you have to deal with a child who has been sexually exploited or sexually abused. Certainly, the emotional damage that is done is real, and the damage that child lives with for the rest of his life manifests itself in many different ways. Bill 118 ensures that another safeguard is put in place to make sure children fulfill their expectations in a caring, protective way, and that they reach their potential because of the positive reinforcement they've received. The member from Sault Ste Marie indeed deserves a lot of credit.

Let me offer at this time a challenge to the government to pass this legislation. But don't bury it in committee of the whole. Don't do that. Send it to the appropriate committee and deal with it. I am concerned with regard to my own Bill 6, An Act to protect Children involved in Prostitution. It passed first reading on October 26, 1999, it passed second reading on May 11, 2000, and was referred to general government committee. I thought the government was committed to ensuring that children weren't sexually exploited or abused through pimps and johns. Yet it hasn't gone to committee yet. I challenge the government to pass Bill 118, send it to committee and bring it forth in committee. But I also challenge you to ensure that Bill 6, An Act protecting Children involved in Prostitution, is brought to the general government committee, so that people from the Office for Victims of Crime, police forces, children's aid societies—every-

one—can come together, debate and ensure we have a strong agenda to protect children.

A bill like Bill 6 is a strong bill which protects children. Bill 118 is a strong bill which protects children. There is nothing wrong with the government members learning from this side of the House how best to ensure that children are protected. At the end of the day, the people of Ontario only care about one thing: that there will be proper laws in place. They don't care who takes responsibility or who institutes them. They want laws in place that will protect children.

Today is a day when we've heard several people who are voices for victims. In a very short time, the government as well as the opposition parties will have an opportunity not only to talk the talk but walk the walk.

The Acting Speaker: The member from Sault Ste Marie has two minutes to respond.

Mr Martin: I want to thank the members for Niagara Falls, Sudbury, Trinity-Spadina, Barrie-Simcoe-Bradford, Prince Edward-Hastings, Hamilton West and Simcoe North for participating in this very important debate this morning. I also want to thank, because I didn't at the beginning, all those wonderful people in the office of the legislative counsel, and particularly Catherine McNaughton, for the excellent work they've done in preparing this bill and having it ready for today's debate.

I agree with the member from Niagara Falls that this bill is not perfect, that it needs further discussion and that it needs, in fact, the full review that the process of this place lends to. I hope they will support the bill's going to committee, if it indeed passes here this morning. It sounds like all caucuses are supportive of the initiative.

Today, in the bright light of the new millennium, we as a society have come of age. We know now that sexual abuse is a systemic problem that is often upheld and maintained through the closed systems of our institutional structures. We know now that people in power may abuse that power. We know now that disbelief and denial are often the knee-jerk responses to allegations of abuse. We know now that we need to change the system if we are truly to protect our children.

Bill 118 enables simple changes to the law that could dramatically change how our schools and caregiving institutions handle allegations of sexual abuse. Too many children have suffered unnecessarily because of the inability of officials to do the right thing when sexual abuse was suspected. It sends a clear signal that sexual abuse of our children will not be tolerated, and it adds a layer of protection for our children so they will be a little less vulnerable within institutions designed to help and not hurt them.

As I said before, Bill 118 is not the final word on what we as a government can do to protect our children from sexual abuse. But it is a beginning. I appreciate the support of the folks around this room this morning.

The Acting Speaker: The time for this ballot item has now expired.

INQUIRY INTO POLICE INVESTIGATIONS OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2000

LOI DE 2000 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLICIÈRES SUR LES PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 39. Mr Guzzo has moved second reading Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will take this division after I deal with the next ballot item.

CHILD AND FAMILY SERVICES AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

The Acting Speaker (Mr Michael A. Brown): Ballot item number 40: Mr Martin has moved second reading of Bill 118, An Act to amend the Child and Family Services Act.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We'll take this division following the division on ballot item number 39.

INQUIRY INTO POLICE INVESTIGATIONS OF SEXUAL ABUSE AGAINST MINORS IN THE CORNWALL AREA ACT, 2000

LOI DE 2000 PRÉVOYANT UNE ENQUÊTE SUR LES ENQUÊTES POLICIÈRES SUR LES PLAINTES DE MAUVAIS TRAITEMENTS D'ORDRE SEXUEL INFLIGÉS À DES MINEURS DANS LA RÉGION DE CORNWALL

The Acting Speaker (Mr Michael A. Brown): We will now deal with second reading of Bill 103. Call in the members. This will be a five-minute bell.

The division bells rang from 1200 to 1205.

The Acting Speaker: Mr Guzzo has moved second reading of Bill 103. All in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Christopherson, David
Chudleigh, Ted
Churley, Marilyn
Clark, Brad
Cleary, John C.
Coburn, Brian
Colle, Mike
Conway, Sean G.

DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gravelle, Michael
Guzzo, Garry J.
Hastings, John
Johnson, Bert
Kells, Morley
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte

Lalonde, Jean-Marc
Levac, David
Marchese, Rosario
Martel, Shelley
Martin, Tony
McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Patten, Richard
Peters, Steve
Sergio, Mario
Stewart, R. Gary
Tascona, Joseph N.
Wood, Bob

Bryant, Michael
Christopherson, David
Chudleigh, Ted
Churley, Marilyn
Clark, Brad
Cleary, John C.
Coburn, Brian
Colle, Mike
Conway, Sean G.
Cunningham, Dianne
DeFaria, Carl

Gilchrist, Steve
Gravelle, Michael
Guzzo, Garry J.
Hastings, John
Jackson, Cameron
Johnson, Bert
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Levac, David

Newman, Dan
Palladini, Al
Parsons, Ernie
Patten, Richard
Peters, Steve
Sergio, Mario
Snobelen, John
Stewart, R. Gary
Tascona, Joseph N.
Wettlaufer, Wayne
Wood, Bob

The Acting Speaker: Those opposed will please stand and remain standing until your name is called.

Nays

Cunningham, Dianne

Ecker, Janet

Wettlaufer, Wayne

Clerk of the House (Mr Claude L. DesRosiers): They ayes are 47; the nays are 3.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, this matter will be referred to the committee of the whole House.

Mr Garry J. Guzzo (Ottawa West-Nepean): Mr Speaker, I'd ask that the matter be referred to the justice and social policy committee.

The Acting Speaker: Mr Guzzo has asked that the matter be referred to the standing committee on justice and social policy. Agreed? No.

All in favour, please stand to be counted. Those opposed, please stand. The majority of the House is in favour of having this matter referred to the standing committee on justice and social policy.

We will now open the doors for 30 seconds and then deal with the next ballot item.

CHILD AND FAMILY SERVICES AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

Bill 118, An Act to amend the Child and Family Services Act / Projet de loi 118, Loi modifiant la Loi sur les services à l'enfance et à la famille.

The Acting Speaker: Mr Martin has moved second reading of Bill 118. Those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.

Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Galt, Doug
Gerretsen, John

Marchese, Rosario
Martel, Shelley
Martin, Tony
Maves, Bart
McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted

The Acting Speaker: Those opposed, will you please stand and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 54; the nays are 0.

The Acting Speaker: I declare the motion carried.

Mr Tony Martin (Sault Ste Marie): I would ask that this piece of public business be referred to the standing committee on justice and social policy.

The Acting Speaker: Agreed? Agreed.

All matters being completed for private members' public business, this House stands adjourned until 1:30 of the clock.

The House recessed from 1212 to 1330.

MEMBERS' STATEMENTS

COMMUNITY CARE ACCESS CENTRES

Mr James J. Bradley (St Catharines): While the Conservative government of Mike Harris appears to have millions of dollars to squander on clearly partisan, blatantly self-serving government advertising on television, radio, newspapers and pamphlets mailed to every home in the province, our community care access centre is in a financial crisis, unable to provide the kind of home care to which the people of Niagara are entitled.

Regulations imposed by the provincial government prevent community health care workers from delivering many services which patients and their families seek and expect. Inadequate funding from the Harris government, which is experiencing a huge and growing surplus, makes it impossible for our community care access centre to meet the real and genuine needs of often seriously ill patients outside of the hospital setting, while new provincial rules force those hospitals to discharge patients often before the patients themselves and their families believe it is advisable.

With severely restricted budgets, the CCACs cannot easily find nurses to take employment positions that involve what they consider to be inadequate pay and benefits, long hours of work and difficult working conditions. Wasteful expenditures of tax dollars on partisan advertising and public relations gimmicks, such as mailing \$200 cheques from the Harris government, leave our community care access centres in the lurch and our patients in clear health jeopardy.

CRATE MARINE SALES LTD

Mrs Julia Munro (York North): I rise today to pay tribute to a small business in my riding of York North. It all started 70 years ago with one man's love of fishing and a vision for success during the Depression. Today, Crate Marine Sales Ltd, located on the southeast shores of Cook Bay, is one of York region's most successful businesses, owned and operated by the Crate family for four generations.

Founder Fred Crate left Toronto in 1931 and settled in Keswick to start a small boat livery for perch fishermen. He called the modest business F.S. Crate and Sons. A boat builder by trade, Crate repaired small fishing craft, rented boats, sold bait and gave anglers a reason to visit the small cottage community.

Lloyd Crate took over the business from his father in 1947. Lloyd opened a sales shop and changed the name of the operation to Crate Marina. What started out as a small fishing operation 70 years ago transformed into a dynamic global operation operating from 35 acres of prime Keswick waterfront. More than 500 boaters call Crate's home. There is also a sheltered harbour and a recently completed public-friendly boardwalk.

Crate Marina was recently awarded the Excellence in Large Business honour by the town of Georgina, and in June was named one of the top 10 Carver boat dealers in the world.

It is an honour to salute this business in my riding of York North during Small Business Month.

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): Earlier today, representatives of Earthroots were here. Earthroots is an environmental organization that has been fighting to protect the Oak Ridges moraine and to protect it from unbridled development.

This government has refused to do anything to protect the Oak Ridges moraine. This government keeps on blocking legislation. There are three pieces of legislation that are before the Legislature. The Mike Harris government refuses to do anything about the Oak Ridges moraine except to allow development on the moraine.

As we speak, development is destroying the water of the moraine. It's not only the people who live in the Oak Ridges moraine who drink from the Oak Ridges moraine, but all of us who live to the south and drink from Lake Ontario or who live to the north and drink from Lake Simcoe get their water from the moraine, because all these rivers—the Credit, the Rouge, the Humber and the Don—feed the Oak Ridges moraine. As this government listens to developers and does nothing, the Oak Ridges moraine water is being turned into muck.

This water that I have here is the Mike Harris water that we see in the moraine because this government is refusing to do anything. I dare—

Interjections.

The Speaker (Hon Gary Carr): The member take his seat. Order. We can't have props in the House. I'd ask the Sergeant at Arms to take the water out.

TERRY FOX RUN

Mr John O'Toole (Durham): On September 17, thousands of people across Canada and around the world participated in the 20th Annual Terry Fox Run for cancer research, raising more than \$20 million. My riding of Durham was no exception. Riding organizer Walter Gibson and members of his committee Willy Woo, Mary Tilcock, Moe Richards, Jack Munday, Marilyn Green, Joan Putnam, Donna Kay, Cathy McClure, Lee Ann Gibson and Derek Clarke all did an excellent job co-ordinating this event. And I might thank cancer survivor Jeff Flintoff for doing a wonderful job in his remarks.

Holding the ceremonial ribbon at the start of the race was 10-year old Courtney Haines. Over the course of the summer, Courtney has worked to raise awareness and funds for cancer research. In fact, her efforts have been remarkable. To date, Courtney has raised on her own over \$4,000 for the Princess Margaret Hospital of Toronto. Her motive behind this was a very personal one because her mother, Heidi, is currently battling cancer for the last two years.

To begin with, Courtney went door-to-door in her neighbourhood to raise money. However, she wanted to do even more. Seeing her interest and determination, Newcastle residents Jack and Gloria Gordon offered Courtney their assistance to have a garden party in their backyard. According to Courtney's grandmother, Ellie Hartwell, this young girl raised \$2,000 at the Tea and Sweets for Cancer Research picnic. As word of Courtney's cause got out, an additional \$2,000 has been collected.

On behalf of the riding of Durham, I want to commend Miss Courtney Haines and her family and friends for her initiative, determination and drive for a very important, worthwhile cause.

COMMUNITY CARE ACCESS CENTRES

Mrs Lyn McLeod (Thunder Bay-Atikokan): We know that community health care providers have been frustrated by funding restraints and regulations that limit the amount of care that can be provided, whether to people discharged from hospital and needing home care or to frail seniors living at home. Now we are learning that care is being restricted because there just aren't enough nurses.

In Thunder Bay last week, the community care access centre had to limit the number of new patients it could take on because there were not enough nurses to provide care. That meant, just in my own community last week-end, seven patients had to stay in a hospital bed instead of being sent home. That same nursing shortage has already led to the cancellation of the second-stage rehabilitation program for cardiac patients in my community.

We have every reason to fear that this is just the tip of the iceberg. We face a critical shortage of nurses and, once again, the source of the problem in this province is the short-sighted, disastrous, cut-everything approach of the Harris government.

The Harris government decided to cut the jobs of 10,000 nurses back when Mike Harris considered nurses to be as dispensable as hula hoops. Now Ontario has the distinction of having the lowest number of nurses per capita in the entire country. Mike Harris promised to hire 12,000 new nurses to make up for his mistake. The Minister of Health says that 6,000 new nurses have been hired, but it appears that only 1,300 new nurses are registered in the province. How many nurses are still being driven out of this province or out of the profession because of poor working conditions? Part-time job situations and lower salaries for community care nurses make it particularly difficult to keep nurses in home care settings.

The government wants to claim that early discharge from hospital is a way of solving the crisis in emergency departments, but where will patients be discharged to if there are no nurses to provide the care at home? It's time for action now.

RENT FREEZE LEGISLATION

Mr Rosario Marchese (Trinity-Spadina): I want to talk about my bill that I introduced yesterday, the rent freeze on the tenants of Ontario. As you know, there are 3.3 million tenants in the province of Ontario. That's one third of the population, literally. I'm concerned about those poor people because, I tell you, some are very wealthy—some of your buddies are doing OK—but many of the 3.3 million tenants are not doing very well.

My point of introducing the rent freeze bill is to say that if the landlords have done so well in the last couple of years under your Tenant Protection Act, give a break to the tenants. Give them a break. They've had huge increases in rent in the last couple of years; thus, great profits for the landlords. All I'm saying is, give the tenant a break. It's a reasonable-minded proposal that says tenants are real people who have real income problems that you ought to be concerned about.

As you have given the landlords a serious break, give the tenants a little break. It's something I think a fair-minded Premier might want to look at. Hopefully fair-minded Ontarians will call into this government, the tenants of Ontario will call into this government, and say, "Support that bill and give us the desperate break that we need."

1340

RENAMING OF MOUNT LOGAN

Mr Ted Chudleigh (Halton): Is it wrong to dishonour one man in order to honour another? My name is Edward Logan Chudleigh, and Sir William Logan was my great-great-grand-uncle. In defence of Sir William Logan and Canadian history, I am firmly against the

suggestion to rename Canada's highest peak, Mount Logan, after the late Pierre Elliott Trudeau.

In the fullness of time, an appropriate tribute for Mr Trudeau will be found. Sir William Logan was a Montrealer. He was a knight of the realm, an explorer, woodsman, scientist, scholar and surveyor. After spending 27 years travelling the world, he explored the Canadian northwest, bringing back items now displayed in the national museum in Ottawa. He was the first Canadian named to the Royal Society in London, and he collected huge numbers of citations, honorary degrees, medals and awards from around the world.

Upon his death, the Natural History Society of Montreal said this about Sir William Logan: "No man is more deserving of being held in remembrance by the people. Just as statesmen and generals have risen up at the moment of greatest need, to frame laws or fight battles for their country, so Sir William appeared, to reveal to us the hidden treasures of nature, just at a time when Canada needed to know her wealth, in order to appreciate her greatness."

In memory of Sir William Logan, I am against the renaming of Mount Logan, Canada's highest peak, for the convenience of today and at the expense of our history.

HATE CRIMES

Mr Michael Bryant (St Paul's): Life, liberty, the security of the person, multiculturalism: these are the foundations upon which our province and our nation lives and breathes, yet it is these foundations that are in fact being threatened by the embers—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Would the member take his seat.

Order. The member for St Paul's has the floor and it's very difficult for him to do his statement with people involved with conversations. It may throw him off. He can either continue or start over.

Mr Bryant: Mr Speaker, I prefer to start over.

The Speaker: OK. My apologies to the member for St Paul's, who will start over.

Mr Bryant: Thank you, Mr Speaker. Thank you, members.

Life, liberty, the security of the person, multiculturalism: these are the foundations upon which our province and our nation lives and breathes in a free society, but it is these foundations that in fact are being threatened by the embers of hate burning here at home in the wake of tensions abroad, in the Middle East. I've been told in my riding of eggs and bricks being thrown at members of the Jewish community, hate flyers being distributed, synagogues and community centres defaced, and hate messages painted on Palestine House in Mississauga.

I know all members of this House condemn all hate messages directed at any community.

Last night, an overflow crowd of over 3,000 came together in a synagogue in Thornhill to express their

solidarity in support of Israel and to express their hope for peace abroad and peace here at home.

Those in leadership positions must attempt to calm those waters, of course, but we in this province also have to prosecute and pursue the extremists who peddle hate. So I'm calling upon the justice ministers and I'm calling upon the Premier to double our hate crimes unit in Toronto and in Ottawa and to set up regional hate crimes units across this province, if only to send a message to all those who wish to fan the embers of hate in our multicultural society, to send a message to those peddlers of hate, that their days of cowardly acts are numbered.

MPP BACK TO SCHOOL PROGRAM

Mr Doug Galt (Northumberland): Last week in this House I raised a concern about the member for Parkdale-High Park's call for MPPs to visit a school this fall. At that time I expressed my hope that this project was not an attempt to bring politics into the classroom.

I'm saddened to report to this House that my initial reaction was correct. Parents, students and taxpayers had enough political game-playing during the debate on Bill 160. During that time, schoolchildren were used by the unions to carry home union propaganda on a regular basis. We now have a situation where the Liberal Party has forced teachers into using school property and school equipment to once again carry out a political mission.

Last week I received an invitation to visit a school in my riding. The invitation was faxed using a school-owned fax machine. On the fax was another fax number. When I looked it up, lo and behold, it turned out to be the Liberal education critic's fax number. What was the Liberal education critic's fax number doing on an invitation from a local public school?

Mr Speaker, it's reprehensible that the Liberal Party use the public school teachers and publicly owned, publicly funded school board property to carry out their political agenda. This is doing nothing to improve our education system.

As such, I think the Liberals and the Liberal education critic deserve a detention, a detention to be served at the local school where they should write at least a hundred times on the blackboard, "Bringing politics into the classroom is wrong. I promise I won't do it again."

SPEAKER'S RULINGS

The Speaker (Hon Gary Carr): I want to advise the House that I have received two notices of intention to raise points of privilege, one from the member for St Catharines about the by-election in Ancaster-Dundas-Flamborough-Aldershot, as well as from the member for Prince Edward-Hastings relating to an internal matter.

Pursuant to standing order 21(d), I'm prepared to now rule on those points of privilege.

First, to the member for St Catharines, I must advise that the member's contentions, as arguments based on

parliamentary privilege, do not have merit. This is so for two reasons.

First, a firm duty is imposed upon members to bring privilege to the attention of the House at the first possible opportunity. The member for St Catharines is referring to activities that, as his own submission makes clear, occurred some time ago.

Second, the member's point of privilege concerns activities relating to the conduct of a by-election. The member will be aware that Ontario has a codified set of rules that govern elections. The member contends that government advertising during the by-election campaign was designed to circumvent these very rules. I would suggest that if that is the case, then the appropriate potential remedy for this grievance lies with the courts rather than in this chamber. I therefore do not find that the member has made out a *prima facie* case of privilege.

To the member for Prince Edward-Hastings, the matter he raises is also not a matter of privilege. It does, however, fall under my administrative responsibilities and I would be pleased to meet with him at his convenience to discuss the matter personally.

I thank both the members for their points of privilege.

INTRODUCTION OF BILLS

SOCIAL HOUSING REFORM ACT, 2000

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

Mr Clement moved first reading of the following bill:

Bill 128, An Act respecting social housing / *Projet de loi 128, Loi concernant le logement social.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1348 to 1353.

The Speaker: If the members would kindly take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim

Hardeman, Ernie
Harris, Michael D.
Hastings, John
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank

O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Runciman, Robert W.
Sampson, Rob
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tsubouchi, David H.
Turnbull, David

Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.

Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan

Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Churley, Marilyn
Cleary, John C.

Colle, Mike
Conway, Sean G.
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Kennedy, Gerard
Kwinter, Monte
Lalonde, Jean-Marc

Lankin, Frances
Levac, David
Marchese, Rosario
Martel, Shelley
McLeod, Lyn
Parsons, Ernie
Peters, Steve
Pupatello, Sandra
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 27.

The Speaker: I declare the motion carried.

The minister for a short statement.

Hon Tony Clement (Minister of Municipal Affairs and Housing): Today, after much consultation, I am pleased to have introduced the legislation that fulfils our commitment to put social housing in the hands of the municipalities, where it belongs. We strongly believe that local governments are best positioned to respond to the local housing needs of their communities.

Transferring the administration of social housing to the municipal level will provide the opportunity to integrate some aspects of delivery of other social services such as Ontario Works and child care. This in turn would pave the way for better services for individuals and lower costs for taxpayers. The act, if it is passed by this Legislature, would give municipalities the say for pay they have been asking for.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: The minister has introduced the bill and given a short statement to not allow the opposition the chance to respond to this particular piece of legislation. I move unanimous consent—

Interjections.

Mr Caplan: —a full ministerial statement so that the opposition will have a chance to respond in kind to this legislative initiative.

The Speaker: Is there unanimous consent? I heard some noes.

STATEMENTS BY THE MINISTRY AND RESPONSES

GLOBAL CLIMATE CHANGE AND AIR QUALITY

Hon Dan Newman (Minister of the Environment): As the members of this Legislature are aware, the US-Canada ozone annex negotiations on smog reduction

continue today in Washington. Next week in Quebec, Canada's environment and energy ministers will discuss global climate change. Then on November 13, The Hague will host the sixth annual climate change conference of the parties. Taken together, these events signal an excellent opportunity to improve air quality in Canada and develop a national strategy for addressing global climate change.

Ontario is firmly committed to do its part to combat climate change and improve air quality. We've demonstrated leadership by targeting these interrelated issues in our province through the most comprehensive and effective range of programs in Canada, and we are committed to further improving our environment and quality of life by continuing our efforts.

But the fact remains that these interrelated issues are transboundary and international in nature. It is essential to note that the majority of the air quality and climate change issues facing our nation can be attributed to the fact that Canada is situated north of one of the world's largest contributors to the problem. Clearly, federal leadership is required to address air quality and climate change both domestically and internationally.

Ontario has taken aggressive, early action by actively targeting a full range of smog and greenhouse gas emission sources. Ontario's programs represent an effective, coherent effort to improve air quality and combat climate change. We are committed to continuing our efforts to develop and implement new and innovative programs to further achieve these goals.

1400

With key meetings and negotiations in the coming weeks, I challenge the federal government to demonstrate leadership by adopting pan-Canadian climate change and air quality programs and standards that match, in comprehensiveness and in rigour, those we have established here in Ontario.

Specifically, such national standards would ensure all Canadian jurisdictions:

First, adopt comprehensive anti-smog programs and plans that match the scope and effectiveness of those in Ontario, which target emissions from both industry and vehicles;

Second, adopt annual 12-month emissions caps for the electrical sector;

Third, meet or better Ontario's nitrogen oxide emissions rates per unit of electrical production;

Fourth, match Ontario's measures to capture emissions of methane, one of the most potent greenhouse gases from large landfill sites; and

Fifth, Meet Ontario's pledged 45% reduction for nitrogen oxides and volatile organic compounds by 2015.

Indeed, the federal government should secure a commitment from US jurisdictions for these very same standards.

Furthermore, in order to ensure that all Canadian actions are founded upon accurate and up-to-date emissions data, it is imperative that the federal National Pollutants Release Inventory begin to track emissions of

greenhouse gases and smog precursors. Ontario is already doing this through our mandatory monitoring and reporting regulation, but nationally based emissions data will be needed in order to get a realistic grasp on the challenges before us and mark our progress.

Finally, decision-makers and citizens across the country must be fully informed as further steps are contemplated. The federal government must ensure that credible, thorough and timely analysis of environmental and economic impacts be made available. Obviously such research is a key part of the development of future implementation plans, and must be received and considered prior to their approval.

The Canadian government must demonstrate leadership internationally to address this issue by ensuring that a co-ordinated North American approach is adopted. Only by adopting such a continental approach can the federal government ensure that the US commits to reducing its greenhouse gas and smog-causing emissions in an equitable way that benefits Canadians.

The federal government must aggressively engage in the upcoming international negotiations to secure commitments to ensure that a full range of effective, flexible tools are available to Canadian jurisdictions. Indeed, all international climate change ground rules must be known for jurisdictions to support the details of any implementation plan.

The upcoming joint ministers' meeting and the international negotiations at the Hague present a significant opportunity to address the interrelated issues of climate change and air quality in Canada.

I call on the federal government to show the kind of leadership on these issues that has already been demonstrated in Ontario.

The Speaker (Hon Gary Carr): Responses?

Mr James J. Bradley (St Catharines): The unfortunate circumstance we face today is that Ontario, instead of being a bonus or a plus to these negotiations, is the number one detriment. Now, I can tell you it was not always that way. When Canada used to go into the United States to negotiate air treaties, Ontario used to be what they would point to—and this was even when it was a Mulroney government. They would point to Ontario as being the province which was doing the most to reduce, and therefore had credibility when negotiating with the US.

What we have now is foot-dragging on the part of this government, because clearly this government does not want to take the kind of aggressive action necessary to reduce its air emissions.

You first of all cut the ministry budget by 45%. Secondly, you fired 900 people out the door. Third, you've told your people and the regional offices to be business-friendly.

Everybody knows that environment is not a priority with this government and that you're simply playing games with it. I can tell you as well that we are about the only jurisdiction in North America today that does not fund, from the provincial level, public transit. Virtually

every other state and province in North America does, and therefore significantly reduces the smog emissions we have.

We have coal-fired plants. You've been told by environment group after environment group and you've been told by the Ontario Medical Association that the best course of action is to convert those to natural gas. Instead, we have no action—

Interjections.

Mr Bradley: Or shut them down, if the former minister wants them shut down.

I hear the words, "No science behind it." That's exactly what the polluters love to say, to do nothing about the environment. That's exactly the argument. I tell the former minister, Mr Sterling, that we will hear exactly that kind of argument coming from your friends in the Alliance party. It's always the science. They're always looking for some new science to prove what everybody in the province knows is happening.

Let me tell you what Pollution Probe had to say. Pollution Probe is very mainline. They are even on a committee the minister appointed. They said, "With 10 years of emission reduction initiatives counted so far and 10 years left in which to achieve the reductions that the province has committed to, the outlook is becoming bleak for achieving the smog reduction targets for NO_x and VOCs. The province has been able to identify significantly less than half of the emission reductions that it originally projected would be needed, and for many of these potential reductions no commitments have been yet made."

That's not me saying that; that's Pollution Probe doing an analysis. Pollution Probe's finding that there has been little new progress since your smog program began in 1996 is particularly relevant to recent criticism from the US that smog-causing emissions in the province are increasing.

Pollution Probe believes that emission reduction efforts must be matched with overall emissions growth and that identified future reduction efforts must be matched with increased emissions due to projected economic growth.

Here you have a situation, Minister, where the people who have done the independent analysis think you have clearly failed. They said, thirdly, "Ontario's claim that it has implemented or planned actions to achieve up to 80% of its emission reduction commitments is unfounded. The MOE has ignored its own growth projections and has counted as recent progress the commitments that were made prior to the instigation" of the smog program. "Many of these reductions are still unrealized."

Minister, what we have is a situation where everybody in Ontario who is in the environmental business, who is an environmentalist, who cares about it, who is an expert in the field, believes it is your government that is dragging its feet. You will not commit to converting the five plants, all coal-fired plants in Ontario, to natural gas, which would have a tremendous effect in terms of sulphur dioxide and NO_x and would also significantly

reduce the 30 other contaminants we have, such as mercury and arsenic. You have refused to do it. The Premier stumbled into some kind of commitment one day that he's reneged on so far. That was to convert the Lakeview generating station to gas.

So it is all in your field. You can take all of the necessary action right here in Ontario instead of pointing the finger somewhere else. Don't listen to Paul Rhodes; listen to the people of this province.

Ms Marilyn Churley (Toronto-Danforth): I find it truly amazing to hear the minister standing here today to challenge the federal government to clean up his mess on air pollution when he is afraid to challenge them to clean up his mess on the Adams mine and call on the federal government for a full, comprehensive environmental assessment of the Adams mine.

That is what I am doing here today. I would like the minister to also challenge the federal government to help him clean up the mess he is about to make in the north by allowing Toronto's garbage to be dumped there to pollute the water. It is truly amazing. How shall I say it politely? A contradiction I see here today.

1410

I want to refer to a report which I hope the minister has seen. Yesterday there was a press conference by Pollution Probe. In case the minister didn't see this report, I am going to read excerpts from that report to him.

They say in their report that they're exposing significant flaws in Ontario's—that means yours, Minister—recent claims of provincial smog plan progress. You know that you have been—Ontario has been—criticized by the Attorney General of New York state as well as US environmental and health groups, because the pollution from Ontario blows across the US on the prevailing winds. Ontario's response, incredibly, to this criticism has been to claim that the anti-smog action plan—what a joke—is superior to similar US initiatives. Pollution Probe held this press conference to put this claim in doubt.

What they say is, "The ASAP commits the province to reduce the emissions of smog-causing nitrogen oxides"—that's NO_x—"and VOCs by 45% by 2010." Listen to this: "Pollution Probe has found that the recent provincial claims that ASAP partners have identified as much as 80% of the reductions needed to meet targets is a gross overstatement of progress."

"The report also identifies fewer total emission reduction commitments than were presented by the Ministry of the Environment in 1996."

Incredibly, "It counts as progress reduction commitments that were made prior to the start of the ASAP, even though the ministry has stated that these would not be counted."

"It claims emission reductions that we know have been cancelled out by overall emission increases, like Ontario Power Generation's claim that they have reduced NO_x, when in fact" we know—and you should know, Minister—these "emissions have increased."

"It fails to factor emissions increases that are due to economic growth...."

I'm going to read the last paragraph in this press release. "It is disappointing that Ontario has so thoroughly misinterpreted"—Mr Speaker, had I wanted to be thrown out today, I would have used a much stronger word than "misinterpreted"—"its smog reduction accomplishments. The only answer now is for the province to get tough on the coal plants and other industrial pollution sources. The air is not clear in Ontario, and it's time for the provincial government to act."

What I would call on the minister for today is to give an honest and clear, concise report to this Legislature and the public of Ontario about what his air pollution reduction plan really is. It is very clear from an independent source that the information that's been put out by your ministry is not correct, to put it politely. I would like to see, on the eve of these very important discussions, the minister get up and announce that they are going to absolutely convert those coal-fired plants, those dirty coal-fired plants, to natural gas—no more stalling on that—and that this government will get back into providing funding for public transportation in this province.

It is a disgrace. We have thousands of people—it is clearly documented—who die from air pollution, and we get this kind of crap from this minister again today. I am getting pretty sick of it. I want—

The Speaker: Order. Will the member take her seat. The member's time is up, but I would appreciate it if we wouldn't use words like that in the House.

Ms Churley: I withdraw if it was unparliamentary.

VISITORS

The Speaker (Hon Gary Carr): Just before we begin, we have some special guests with us today in the Speaker's gallery. We have the Honourable Mr Atwal, who is the Speaker of the Legislative Assembly of the Punjab, India, and the Honourable Mr Kadian, the Speaker of the Legislative Assembly of Haryana, India. They are accompanied by the consul general of India in Toronto. Please join me in welcoming our special guests.

DEFERRED VOTES

TECHNICAL STANDARDS AND SAFETY ACT, 1999

LOI DE 1999 SUR LES NORMES TECHNIQUES ET LA SÉCURITÉ

Deferred vote on the motion for third reading of Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries / Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries.

The Speaker (Hon Gary Carr): Call in the members; this will be a five-minute bell.

The division bells rang from 1415 to 1420.

The Speaker: Mr O'Toole has moved third reading of Bill 42. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Chudleigh, Ted
Clark, Brad
Clement, Tony
Coburn, Brian
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie
Harris, Michael D.

Hastings, John
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.

Palladini, Al
Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.

Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Kennedy, Gerard
Kwintar, Monte
Lalonde, Jean-Marc
Lankin, Frances
Levac, David

Marchese, Rosario
Martel, Shelley
McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Peters, Steve
Pupatello, Sandra
Ramsay, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 29.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

COMPENSATION FOR VICTIMS OF CRIME

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. Last April, a madman with a gun came into my riding and shot and killed four OC Transpo workers. Those deceased were lost forever to their wives, and in one case a husband, and together they left behind seven children.

Our regional government voted unanimously to help out these victims of crime by awarding payment to each of the four families in the amount of \$100,000. Your hand-picked transition team which is presiding over affairs in Ottawa these days said no to this payment. Yesterday I asked your Attorney General if he might

intervene and stand up for victims of crime and order that transition board to rescind its decision and award the payment. Your transition board failed these victims; your Attorney General failed these victims. What I want to know here today, Premier, is, are you going to fail these victims too?

Hon Michael D. Harris (Premier): I have reviewed the file and I think it was the wish of the regional government to offer the immediate compensation to the four families, and of course our concern is with the families of the victims, as is the honourable member's.

As you know, we have a transition board, and there is some limbo of some decisions with the powers that are there as we honour the transition, supported I know by the member, for a streamlined government in Ottawa. So we have asked for a review, and it appears to us that legally and technically the transition board is probably acting within the legal definition of the authority that we gave them.

However, since we are concerned with victims, and I think we are all reasonable people and we want to see the right thing done, I've asked the Minister of Municipal Affairs and Housing to prepare a bill for introduction today—with all-party agreement we can pass it today—which will permit the decision to stand and the money to flow.

Mr McGuinty: On behalf of the families, Premier, I want to thank you for your intervention in this matter, but I am puzzled by your government's change of heart. Yesterday your Attorney General told me I should know that the power to make that kind of order lies with the city of Ottawa and not with the province of Ontario. Today you are demonstrating what I understood all along: you do in fact have the ability to proceed to give expression to the wishes of the people of Ottawa, who awarded \$100,000 to each of the families. So I need to know from you, Premier, is your Attorney General heartless or was he incompetent?

Hon Mr Harris: In fact, the Attorney General would have been in contempt of the Legislature to do something outside of the legislation. The Attorney General, as you know, has to uphold the law. We do not believe that as of today, at least at this moment in time today, we have the legal authority. It's one of those situations in limbo. I don't think it was an anticipated type of expenditure, and I think we've received considerable support for ensuring, through the transition, that new expenditure commitments are not made, which the legislation is for.

However, as you know, common sense says that if the legislation is a barrier here in the short term—I'm satisfied that come January it is the intention of those seeking council to reinstate the decision. Rather than wait two months, with the co-operation of all three parties of the House I think the minister can have a bill ready later this afternoon. We could revert to bills; we could have three readings. I can have this done, and then we will have the legal authority.

Mr McGuinty: Premier, just so we are perfectly clear as to the legalities of this matter, according to section 19 of your Fewer Municipal Politicians Act, the Minister of

Municipal Affairs can make any regulation affecting the transition board. You had it within your power all the time. Notwithstanding that, I want to assure you that we will be co-operating in whatever way possible to make sure the bill becomes law at the end of the day.

Having said that, I want to ask you here and now, on behalf of your transition board, which was less than responsible and certainly far less than compassionate in the way they dealt with this matter, to apologize to those four families.

Hon Mr Harris: I'm sorry the member can't take yes for an answer. The transition board was acting according to what it felt was the legal definition of the legislation that we had brought forward. I have offered you a remedy to this, and I would hope that on behalf of the victims you might be a little more gracious in saying thank you.

1430

INVESTIGATION INTO CHILD ABUSE

Mr Dalton McGuinty (Leader of the Opposition):

My second question is also for the Premier. I want to raise with you an issue which also cries out for leadership and from which you have been missing in action. One of your backbenchers today had to bring forward a private member's bill to do something that you have refused to do, and that is to hold a public inquiry into the failed police investigations of allegations of sexual abuse against minors in the Cornwall area.

Premier, this morning the overwhelming majority of the members of this Legislature voted in favour of that public inquiry. You weren't here at the time. We are interested in learning, Premier, where you stand on this issue and what you think. Do you or do you not support holding an inquiry into these very serious allegations in the Cornwall area?

Hon Michael D. Harris (Premier): Of course, it is a matter that concerns us greatly, and clearly there is a piece of legislation before this Legislature working its way through the process. I'm very interested in determining the wishes and the will of the—

Interjections.

The Speaker (Hon Gary Carr): Order. Order.

Mr Dominic Agostino (Hamilton East): He was voting in favour of it, Bert. Where were you?

The Speaker: Order. Member for Hamilton East, come to order. I called three times. You can't yell across like that. The conversations don't go to other members; the Premier has the floor. Sorry, Premier.

Hon Mr Harris: I'm very interested in knowing the wishes and the will, of course, of all members of the Legislature, so this is a bill that presumably will continue to receive—in the meantime, there are ongoing police investigations taking place. There are a number of outstanding charges. The matter is before the courts, which puts me and the executive council, the Attorney General and the Solicitor General at a little disadvantage, as we

don't want to prejudice these cases. But in the meantime, we're interested in the views of the Legislature and we're interested in seeing the prosecutions proceed.

At a time when it is deemed by the justice officials, if it is still the will of the Legislature—

The Speaker: Order. I'm afraid the Premier's time is up. Supplementary.

Mr McGuinty: It seems to me, Premier, like you're continuing to duck this issue. You were not present for the vote earlier today, and the fact of the matter is that the Walkerton inquiry is proceeding notwithstanding that there are criminal investigations underway. You cannot hold that out as some kind of lame excuse not to tell us where you stand on this issue.

You're quite right: the overwhelming majority of the members of this Legislature expressed their desire to proceed with an inquiry into these matters. What I want to know now is where you stand. Do you or do you not think it's a good idea to hold a public inquiry? I've been to Cornwall and I can tell you that they find themselves in a fog of innuendo and allegations. The only way to get to the bottom of this is to shine some light into that community. That demands that we have a public inquiry.

I want to know where you stand on this issue. Are you or are you not in favour of a public inquiry?

Hon Mr Harris: That's why I answered the question, and the same answer stands.

Mr McGuinty: Well, Premier, it's perfectly obvious that when it comes to standing up for victims of crime—I mean apart from the earlier matter, which you were forced into for political reasons—you're tough on talk and weak on action. Here's another opportunity.

In the 10 years that I've had the privilege of serving in this Legislature, one of the toughest things we've had to do together has been to stand up and to offer our regrets and apologies for the failure of our predecessors to do the right thing at the right time. In particular I'm thinking of Grandview, St John's, and St Joseph's school for boys. I don't want somebody to stand up in this Legislature 40 years from now and have to apologize to victims of abuse in Cornwall for our failure to act today.

There was a private member's bill put forward today. It was supported by the overwhelming majority of members of this Legislature. The Walkerton inquiry is proceeding today notwithstanding that there are criminal investigations underway. We can go ahead with this inquiry. I'm asking you where you stand on this. Will you or will you not go ahead today?

Hon Mr Harris: I've fully answered the question, and I agree with the member: 40 years from now, when I plan to be in this chair in this House, let's make sure this is behind us.

WASTE MANAGEMENT

Ms Marilyn Churley (Toronto-Danforth): For the Premier: the fight over your Adams mine disaster is far from over. You are planning to put the water of the people in Ontario and Quebec, including the Timis-

kaming First Nation, at risk. If you learned anything from the actions of yesterday, you should know that the fight is only beginning.

Premier, not only has your government approved a plan—

Interjections.

The Speaker (Hon Gary Carr): The member take her seat. Stop the clock, please. We can't have conversations back and forth. You get on to question period and ask a question to them, but you can't go back and forth on both sides with conversations. You aren't being impolite to each other, but the conversations are too loud. I can't hear through you to the person asking the question. And if I can't hear, then sometimes I won't be able to hear if there is language being used improperly. I would appreciate that if members want to talk, they go outside and talk.

The member for Toronto-Danforth has the floor.

Ms Churley: Premier, not only has your government approved a plan to poison the groundwater in Adams lake but in Walkerton Murray McQuigge says that our deep-water wells are not safe and that your new regulations are not good enough. Even after Walkerton and the warning signs, you continue to go ahead with your plans to overdevelop the Oak Ridges moraine.

You tell us that your water policies are fine and that the water is safe to drink. I have a glass of water here from the developed part of the Oak Ridges moraine, and I'm challenging you to drink this water. Put your mouth where your policy is, if you truly believe that the water is safe to drink. Premier, I challenge you to drink this water.

The Speaker: Premier.

Hon Michael D. Harris (Premier): Thank you very much, Mr Speaker.

The Speaker: Supplementary.

Ms Churley: Premier, I am about to send this glass of water—you'll see it looks very murky—from the overdeveloped part of the Oak Ridges moraine.

You have said repeatedly in this House that the NDP planned to put a dump site on the Oak Ridges moraine. I'm going to tell you right now that is not the fact; this was not the final dump site chosen for Toronto's garbage. Whichever site would have been picked would have gone through a comprehensive environmental assessment which would have looked at the alternatives. What did you do for Adams mine? You rigged the environmental assessment so that the alternatives were not even looked at.

Think how far ahead we would have been today had you allowed that process to continue, alternatives to be looked at. We wouldn't be in this mess today, threatening to poison the water of our northern neighbours. Shame on you. What are you going to do about it? I challenge you to drink that water.

The Speaker: Premier.

Hon Mr Harris: Thank you, Mr Speaker.

The Speaker: Final supplementary.

Ms Shelley Martel (Nickel Belt): Premier, more and more Ontarians are becoming increasingly concerned

about the quality of their drinking water, and that's especially true after Walkerton. That is why people who live in northern Ontario are so outraged by the Adams mine proposal, because it uses an unproven technology in a mine site that has been weakened by cracks and fissures, in a known earthquake zone, where the potential to contaminate the groundwater is very real.

That is why Chief Carol McBride and the Timiskaming First Nation are opposed to the project, because they don't want water in their traditional land poisoned. That's why farmers in the area are opposed, because they don't want groundwater poisoned. That's why the residents on the Timiskaming side of the border, the Quebec side, and even the mayor of the host community of Kirkland Lake are opposed, because they don't want their water poisoned.

Premier, if you care at all about safe drinking water for thousands of northerners who live in the Timiskaming area, why are you allowing the north to become a dumping ground for Toronto's garbage?

1440

Hon Mr Harris: I understand that the siting of any one of, I guess there are thousands of dump sites in the province of Ontario, as there are in provinces across Canada, is a controversial decision. I'm a little confused, though, as to where the NDP stands. As I recollect, the New Democratic Party was opposed to the Liberal Party and the then Minister of the Environment, who signed an exemption order for the Whitevale site in particular; I think that was exemption order Ontario regulation 397/90 in 1990. But then when you were elected, as I understand it, your position was to move to Britannia. Britannia, as we know, is one mile from the Credit River. You moved to exempt Britannia, one mile from the Credit River, from a full environmental assessment. You moved to exempt Whitevale, which is nine kilometres from the Rouge River. You moved to exempt Keele Valley from a full assessment on the Oak Ridges moraine. And yet, here is a site, after hundreds of millions of dollars, 10 years of full environmental assessments, some 153 kilometres from the Ottawa River—

The Speaker: I'm afraid the Premier's time is up.

DOMESTIC VIOLENCE

Ms Frances Lankin (Beaches-East York): My question is to the Premier. I want to ask you to give some real meaning to the personal commitment that you made to putting an end to domestic violence and making that a priority in this fall session.

You know that women on the front lines of fighting domestic violence are critical of your government's lack of action on restoring and enhancing community services for women. Today I'm calling on you to appoint a single cabinet minister to champion community services to help women flee domestic abuse. I want that minister to make public the status of funding for the 19 women's centres in this province and to restore immediately the stable fund-

ing to those centres and to deal with the \$350-million emergency package.

Women's voices have been growing stronger in making their demands clear to your government. I'm hoping that you will respond today and that you will make your commitment meaningful. Will you appoint a single cabinet minister to champion these issues and to report back to you with an implementation plan before the end of this month?

Hon Michael D. Harris (Premier): I'll go further than that. I will personally indicate to you three of the finest ministers, not only in this government but in Ontario's history, who are concerned, as this government is, about this issue, as I know the member is. That's the Attorney General, the minister responsible for women and the minister responsible for community and social services. All three will be championed with that responsibility.

Ms Lankin: I hope that you understood that I asked for a champion for the role of community services to help women flee domestic abuse. One of the problems has been your government's continued response only on the criminal justice side. It is very critical, if your commitment to make this a priority this fall is to have meaning, that we see a response on the community services side, that you respond to the package of the \$350-million emergency measures that are there on the table and that, as a measure of good faith, you restore the stable funding to the 19 women's centres in this province that are on the front lines of helping women.

I appreciate you referring to the three ministers, but I'm looking for a single individual the women can meet with, the women can talk to, and that you will direct that person to report back to you with an implementation plan.

I came today from a press conference that was being held in Toronto, Ottawa and Windsor simultaneously. You've got to know that women's voices are growing. There are now 105 organizations that have signed on to the emergency package demand. Premier, you have to make this a personal commitment. Will you appoint one minister? Will you direct them to develop an implementation plan, report back to you before the end of the month and you report back to this House with what are your intentions to take real meaningful actions to save women's lives?

Hon Mr Harris: I've tripled your challenge and entrusted three champions. You say all we've involved ourselves with is the legal justice system. Yes, we've done a lot more than your government did in the legal justice system, but we've done a lot more too. I mentioned the Minister of Community and Social Services; I mentioned the minister responsible for women.

Let me give you some examples. The Investing in Women's Futures program is one of the government initiatives designed to prevent violence against women before it occurs. Next year, funding for this program will have doubled from the 1999-2000 level. This year, 30 women's centres will receive funding, including 18 new

centres. We're doubling the amount that centres can apply for, from \$45,000 to \$90,000.

I understand there are still some who believe we can do more, but surely you would agree—

Interjection.

The Speaker (Hon Gary Carr): Premier take his seat, please. The member for Beaches-East York has asked a question and I need to hear the answer now. Sorry, Premier.

Hon Mr Harris: Thank you very much, Mr Speaker. I'm sure the member will agree that we are doing more each and every year. We accept the challenge and champion ministers to do even more in the future.

ENVIRONMENTAL ASSESSMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. I want to return to the issue of the Adams mine. I have here a copy of a letter that I'm asking you to sign. I'll have the page bring it to you.

I'm writing to the Honourable David Anderson, the federal Minister of the Environment, and pleading with him in the strongest possible terms to proceed with a federal environmental assessment. I'd ask for your support on that score, Premier, because as we should in all honesty acknowledge, there has never been any kind of real environmental assessment on this matter. There has been a phony, rigged environmental assessment. It only took 15 days of hearings. Traditionally, as you will note, Premier, it has taken us around 100 days of hearings when it comes to siting a dump.

Recognizing now that there never was a real environmental assessment held in Ontario on this matter, I'm asking you to join me in asking our federal cousins to pick up the slack, to step in and do the right thing.

Hon Michael D. Harris (Premier): I understand why the leader of the provincial Liberal Party wishes to abdicate provincial responsibility and seek another level of government to bail them out here, because their record on this issue was of course to find a solution that exempts sites from environmental assessment.

I have before me, signed by James Bradley, Minister of the Environment at the time in 1990, Ontario regulation 396, an exemption order from the Environmental Assessment Act to deal with Toronto's garbage. The last time your party was on the record, you said, "We don't want to do a full environmental assessment. We want an exemption from a full environmental assessment."

The New Democratic Party got elected. They were against that position. As you know, they then went on to try and have exemptions for three sites.

We, on the other hand, got elected. We said that any proposal would be subject to full environmental assessment, and indeed that's the process, over the last 10 years, that the Adams mine went through.

The Speaker (Hon Gary Carr): The Premier's time is up. Supplementary.

Mr McGuinty: If the Premier wants to talk about his record, then why don't you remind us all of the promise you made in North Bay in 1990 when you said that you would never, ever tolerate the shipment of garbage from Toronto to northern Ontario, even if the people up there wanted it? That's the full record, Premier.

I would ask you to stop trafficking in fictions when it comes to what happened in terms of an environmental assessment. There was never any real environmental assessment held for the Adams mine dump. It was rigged from the outset. You restricted it to only 15 measly days. It takes at least 100 days to give full and fair consideration. Acknowledging now that you have changed your mind on this issue and that you originally said you didn't want any garbage up there, and now understanding that there never was a full environmental assessment, we're going to have to, sadly, appeal to the federal government to step in and do the job that you refuse to do.

Hon Mr Harris: I appreciate the opportunity to answer the question. The member's quite right. In a leadership debate in 1990, Dianne Cunningham and I were faced with this question: "The Liberals are going to exempt sites from environmental assessments. If there's a willing host in northern Ontario, do you think this makes sense?" We said no, absolutely no way should any dumpsite be exempt from an environmental assessment. That was the Liberal policy at the time. I said that, I believe Dianne Cunningham agreed with that, and we have maintained that position throughout. That was the situation in 1990.

Following that, of course, the New Democratic Party got elected—

Interjections.

The Speaker: Premier take his seat.

Interjection.

The Speaker: Order, the member from Parkdale-High Park. Sorry, Premier.

Hon Mr Harris: Faced with the challenge in opposition of responding to an arrogant majority government prepared to run roughshod over the environment and exempt these sites across the province from environmental assessment, we were left with no choice but to say no, it's not good enough to be just willing hosts, you have to be both a willing host and you have to have a full environmental assessment. Those are the rules that were followed for Kirkland Lake.

1450

TRUCKING INDUSTRY

Mr Brian Coburn (Ottawa-Orléans): My question is for the Minister of Economic Development and Trade. There has been a lot of discussion over the past few weeks on issues that affect Ontario's trucking industry. As someone who was once involved in the trucking industry, I realize the importance of this industry to our economy. One of the issues affecting truckers is the Michigan single business tax. I understand that the Canadian trucking industry has reached a compromise agree-

ment with the Michigan treasury on the MSBT. How will this agreement benefit our trucking industry?

Hon Al Palladini (Minister of Economic Development and Trade): I would like to thank the honourable member for Ottawa-Orléans for this question. Yes, it is true, an agreement between the Canadian trucking industry and the Michigan treasury has been reached. This agreement eliminates the MSB tax burden, or at least lowers the MSB tax burden on Ontario trucking companies. That means Ontario trucking companies will not have to pay an extra tax that was being employed by the state of Michigan, which reduces the double taxation that would have been faced.

This agreement shows that by working together, all the things that were put on the table among an assortment of people have materialized in a positive sense for the Ontario trucking industry.

Mr Coburn: Many of us, certainly on the outside looking in, sometimes don't appreciate that negotiations are indeed varied and quite complex. Maybe, Minister, you would explain some of the complexities and the role you and our government played in achieving this outcome.

Hon Mr Palladini: Thank you for the opportunity to share some information with everyone here in the Legislature. I am pleased to say that our government played a very active role in reaching this resolution. I personally want to thank Premier Harris for his involvement and for on several occasions contacting Governor Engler to voice the concerns of the Ontario trucking industry on the MSBT.

My staff at the Ministry of Economic Development and Trade has worked very diligently, along with MTO. The Ministry of Finance has been involved as well. I want to give special thanks to John Tennant, who is the Canadian consul general for the federal government in Detroit, for all his efforts, because he was instrumental in making sure that a lot of our concerns were put forward on a daily basis.

This is a prime example of how things can materialize, how we can come up with resolutions that will make sense, and we all benefit by working together. I'm very proud that this has in fact happened in this particular instance.

MUNICIPAL RESTRUCTURING

Mr David Caplan (Don Valley East): I have a question to the Minister of Municipal Affairs and Housing. Today you unveiled one of the most significant pieces of legislation concerning delivery of services in our province since your ill-fated hospital restructuring and your ill-fated education reform. I know why you've done it so quietly. It's because you're trying to hide some of the key issues relating to the bill. So why don't you stand in your place in this House today and tell us how much will be your commitment to topping up the capital reserves. You've seen the study from the region of Peel which says that \$1 billion is the future risk and liability that you're transferring to municipal taxpayers and they

want to know what your financial commitment is going to be.

This is a major initiative, Minister. Tell us, when are you going to put your money where your mouth is?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I'd be happy to answer that question. In fact we have made great deliberations in the bill, and our plans year in and year out have been to ensure that the capital stock of social housing is maintained and indeed improved in our province. I can give the honourable member two distinct parts of our answer. Number one, \$100 million per year has been authorized by the province of Ontario to ensure that our capital stock is up to snuff. Number two, before we proposed devolution of the administration of social housing, we ourselves saved \$100 million from the cost of delivering social housing, so that money could best be put back into social housing, back into the programs, back to the tenants who need the help.

So we have planned for the future. We have not relied on rhetoric. Our actions speak louder than his rhetoric.

Mr Caplan: Absolute hogwash. Minister, you can't answer that question. You can't answer this one. Ten percent of the cost is your answer? That's a joke.

You know that when you signed the federal-provincial deal, there was a considerable saving of money—\$63 million not even spent. Nothing has gone toward housing. Municipalities want to know where that money is. Is it going to top up the capital reserve? Is it going into a contingency fund so that municipal taxpayers will be protected against the ticking time bomb of liability and risk you are downloading?

Why don't you just be honest, Minister? Tell us that all you want to do is walk away from housing, pass the buck and the bills on to municipalities. Why don't you stand in your place today and tell us that all your plans are to raise property taxes for businesses and residents across this province? Will you do that today, minister?

Hon Mr Clement: No, because I like to stick to the facts. The facts are that as of the November 1999 federal-provincial agreement on this issue, we put \$11 million into transition assistance for the municipalities to deal with transition issues, and we announced \$50 million of new funding for rent geared to income so the money can be spent on the tenants themselves who need the help.

If the honourable members wants a challenge, I challenge him to stand in his place and say that \$50 million for up to 10,000 Ontario families was not well spent; stand in his place and say that.

Interjections.

The Speaker (Hon Gary Carr): Member, take your seat. Order. Take your seat.

GOVERNMENT MAILINGS

Mr Doug Galt (Northumberland): My question about government communications is directed to the Chair of Management Board. We've had some fair criticism about lack, and maybe we should increase our

communications to constituents, particularly in my riding. I think it's only fair, with this pamphlet that's recently been sent out, that my constituents are quite pleased about the helpful information on new programs. With a list of government phone numbers and a response section, it's easier for my constituents in Northumberland to obtain information on ministry programs.

The reason I'm raising this is to get the facts out long before we hear a lot of rhetoric and twisted facts from the opposition. In fact, I'm really quite surprised they haven't already raised this issue.

Minister, could you please tell the House and my constituents how much this report to taxpayers is costing and why we're spending this money?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I thank the member from Northumberland for this very important question.

All governments, whether federal or provincial, have a responsibility to communicate with and to listen to their electorate. In Ontario, we have some important initiatives we need to make Ontarians aware of, such as the availability of free flu shots. It's part of our long-term strategy to ease the pressure on emergency rooms, and this is the best time to communicate this information.

This comes at a cost of only 25 cents per household. We think Ontarians will appreciate getting information that could help them keep healthy this winter.

Interjections.

Hon Mr Hodgson: In fact, if the Liberals across the way are interested in hearing this, a recent federal government survey found that only 14% indicated they receive enough information from government. Many are unfamiliar with government initiatives.

Mr Galt: That's certainly very helpful, because my constituents are continually asking for more information from governments at both levels. It's also good news because recently I received in the mail a similar publication from the federal government, and the cost was in the same range of some 26 cents. Of course, that's the federal Liberal government.

I think we also need to clear up the issue of propaganda. Of course, the opposition will allege we're trying to make ourselves look good, and this report to taxpayers does contain a lot of information that is good news to my constituents in Northumberland. In fact, it's good news to all the taxpayers of Ontario.

My question is, what is important about the communication in this report that we need to communicate it to all the people of Ontario?

1500

Hon Mr Hodgson: Again, it's a very good question that I'm happy to respond to. For 25 cents per household, this report to taxpayers provides all Ontarians with information about key initiatives that affect their lives.

I've already mentioned the importance of the flu shot and letting the people of Ontario know it's free and that it's the time of year to do that to avoid emergency room backlogs. But this report also provides parents with important information about the education their children

are getting, from the new curriculum to making sure that Ontario's teachers are the best, to safety for children in their schools.

Interjections.

The Speaker (Hon Gary Carr): Member for St Catharines, come to order, and the member for Scarborough East as well. We're not going to have shouting back and forth. It has carried on, and I let it go. No more. I would appreciate the co-operation of all members.

The member has just about 10 seconds left.

Hon Mr Hodgson: The member for Northumberland mentioned good news, and indeed there is good news in the report about Ontario's balanced budget and about the record 768,000 net new jobs that have been created since 1995. It is good news.

BRUCE GENERATING STATION

Ms Shelley Martel (Nickel Belt): Premier, on July 14 you told the media you were willing to have a legislative committee examine the Ontario Power Generation-Bruce Power lease agreement. I took you at your word, and last week I moved a motion in the public accounts committee to have the Provincial Auditor examine the agreement to determine if Ontario's taxpayers got a good deal.

Today, your committee members voted to delay, to defer, to postpone, effectively to bury any investigation by the Provincial Auditor until at least the summer of 2001.

My question to you is, if the deal is so good, why are you afraid to have it examined now?

Hon Michael D. Harris (Premier): I'm not, and I'm not aware of any action that is untoward in that area. When it was announced in July, I think we made clear that two credible outside review processes are required before the deal will close. As you know, it is not closed.

It will also have to meet the stringent standards of the Canadian Nuclear Safety Commission, a federal regulator. I think something that is pending a regulatory review may not be the most appropriate request of the auditor's funds at this time, but we're certainly happy to have any kind of look at any time the auditor feels appropriate.

Ms Martel: The question was, if the deal is so good, why are you and your committee members so afraid to have it reviewed now?

This is a huge deal. It involves the largest lease of a public asset in the history of this province. The taxpayers of this province who paid for the Bruce nuclear plant deserve to know if they are getting enough revenue back from the lease. They deserve to know if they're going to get enough revenue back to pay for the decommissioning costs when the lease is complete. They deserve to know that now, not after the summer of 2001.

Premier, you said this deal would stand up to public scrutiny and that you were prepared to have a legislative committee review it. I'm prepared to move the motion again in the public accounts committee next week to have the Provincial Auditor review that deal now. Are you

prepared to direct your committee members to support that motion?

Hon Mr Harris: No, because unlike when you were in government, and maybe even in opposition, I as leader of my party do not direct members of committees. They are quite capable of making informed decisions on their own.

As I understand it, there is no deal. The deal is pending; it's pending regulatory approval. The deal has not been concluded. I understand there was a motion that was submitted—

Interjections.

The Speaker (Hon Gary Carr): Premier, take a seat. Sorry. I can't hear either. If the member doesn't want to hear the answer, we'll stand here for the next 20 minutes; it doesn't matter to me. I'll stand here for 20 minutes.

I think the Premier had about 10 seconds. Premier, sorry for the interruption.

Hon Mr Harris: I understand that one of the members of the committee, Julia Munro, an independent-thinking member, apparently unlike your caucus, submitted a motion that the public accounts committee reconsider Ms Martel's motion once the regulatory review process for the lease agreement between Bruce Nuclear and Bruce Power has been completed. When it's complete, it will be there—

The Speaker: I'm afraid the Premier's time is up.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr John Gerretsen (Kingston and the Islands): My question is to the Minister of Education. Minister, last week my office delivered to your office over 1,000 individually signed letters from students at Regiopolis/Notre-Dame high school in Kingston. Last Friday I met with a great number of other students at Holy Cross Secondary School, and I've got another 1,000 individually signed letters from the students.

Let me just quote to you some of the things that the students are saying:

"I feel it is time that the divided parties work together to resolve these issues so that education, teachers, students and the community will not continue to suffer. It might be said that the pursuit of knowledge is the purpose for the education system, but extracurricular activities and the virtues they encompass are the heart of the education system."

These are the pleas heard from students in Kingston and throughout this province. You unilaterally brought legislation into this House and had it passed whereby, in effect, students are now being denied extracurricular activities. You changed the working conditions. Will you now take the courageous and unilateral step of bringing all the various parties together so that the students can go back to getting the fullness of their education and they can start enjoying the extracurricular activities which are an integral and an essential part of their educational system? Will you do that, Minister, today?

Hon Janet Ecker (Minister of Education): I certainly couldn't agree more that extracurricular activities, co-instructional activities, are an extremely important part of education for our students. I would also like to agree that those students who continue to receive extracurricular activities across the province—and there are literally thousands of schools where thousands of teachers are providing those opportunities because they know how important they are to the students, and I think that needs to be recognized.

The other important point that I would agree with the member is that, yes, the parties should be getting together to resolve these issues. School boards and local unions are negotiating collective agreements. We are seeing in some communities those collective agreements being signed, as they should be, and those collective agreements are also assisting in solving some of the local issues that you see from community to community.

If that does not resolve those issues—I have already met with some students and I'll be meeting with other student trustees—we are certainly prepared to look at all of the options that are available to us to make sure that all students receive what they should receive from the school system, and that is good extracurricular activities.

Mr Gerretsen: It has now been over six weeks for a tremendous number of students in this province. They're crying out all over this province to have this matter resolved. You unilaterally took the action of changing the working conditions of the teachers. It's up to you. You are the guardian, the trustee of the publicly funded education system in this province, and you are the only person that can bring all these various sectors together so that the students can get a full education. Why don't you do the right thing and get everybody together and change the law the way it currently is so that students can get a full education?

Last week I was told that at the Collins Bay public school the school council had to raise over \$30,000 at bingo to buy textbooks and other essentials.

Minister, only you have the power and the authority to do something about the current act. Everybody is looking towards you to help resolve this issue. Why don't you do the right thing and bring all the parties together and resolve this?

Hon Mrs Ecker: I'm very pleased to hear the honourable member talk about the concern around textbooks, because one of the issues that we were attempting to deal with in Bill 74 was to prevent school boards from using the monies we had given them for textbooks to subsidize union agreements that were not appropriate, that did not meet provincial standards. Under Bill 74, we have set clear priorities and clear provincial standards. We do have the constitutional legal authority to set quality standards in education. We take that responsibility seriously. We committed to the voters that we would do that and we are indeed doing that. But we do believe that a workload standard of four hours and 10 minutes a day for secondary teachers—it's based on what teachers do across the country. We think that's an appropriate standard.

We also recognize that teachers do very much above and beyond classroom teaching, and that's an important support to those students. Those thousands of teachers who today, as we speak, are doing that need to be recognized and thanked for that contribution to their students.

1510

ONTARIO LIVING LEGACY

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Natural Resources. I've been hearing quite a bit lately about Ontario Living Legacy, and it's been a little while since the 378 new parks and protected areas were announced. In fact, just a few minutes ago my colleague David Young mentioned how much he and his family like to use the existing parks we have in the province.

Can you remind us what Ontario Living Legacy is all about, what its goals are and how it first came to be?

Hon John Snobelen (Minister of Natural Resources): I want to thank the member for Simcoe North for the question. I'll remind the member and my colleagues that the genesis for this announcement was the largest public consultation in the history of Ontario about how to use our public land. For over two years thousands of people from across the province, representing recreational users, tourism operators, foresters and miners, made passionate and often heated presentations to our round tables.

At the end of the day, with the strong leadership of our Premier, Ontario not only was the first and only jurisdiction in Canada to reach 12% protected land, and we not only made the largest parks announcement in the history of this province, with over six million acres added to our protected base, but we did it with a very unique accord, an agreement between environmentalists and foresters, making Ontario the envy of the world and making our leaders in the environmental community and the forestry community the envy of their colleagues around the world.

Mr Dunlop: I understand that since its inception Ontario Living Legacy has moved on to its implementation phase, yet another opportunity for the public to have its say.

Minister, can you tell us how that implementation is going and what new programs have been included under the umbrella of Ontario Living Legacy?

Hon Mr Snobelen: I thank the member for Simcoe North again for bringing this forward today. As we look now at implementing Ontario Living Legacy, of creating those 378 new parks and protected areas, we are obviously very much at work in putting those parks into regulation. For those members who live in constituencies near one of these new areas, we have had announcements in the local newspapers like this one that invite people to come out and help us create those boundaries and the regulation for those protected areas.

Several of our initiatives are up and running. The member from Halton, Mr Chudleigh, has been working

very hard on the Great Lakes heritage coastline. He's released a draft proposal for that heritage site—

Applause.

Hon Mr Snobelen: Yes, hard work.

There's a committee working now on the Kawartha highlands signature site. We're very proud to announce additional youth programs that help us with the legacy project, including the Ontario stewardship rangers and internship program and co-op program, which help our young people help us build the future of Ontario.

DOCTORS' SERVICES

Mrs Sandra Papatello (Windsor West): My question is to the Minister of Health. I ask my question on behalf of Mr Mousaly, a constituent of mine, a Windsorite. He's a cabinetmaker and he hasn't been able to work for months because of a knee injury. He has two small children, a family to provide for. Last week he was told by his orthopaedic surgeon that he will be waiting more than a year for required surgery in London.

Minister, I'd like you to explain to Mr Mousaly, a man who has always paid his taxes, worked very hard, has always provided for his family, who is completely frustrated at being let down by this health system, why he would wait for more than a year for required knee surgery in London before he can go back to work.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member probably knows, health is the number one priority for our government. In fact, since 1995 we have increased funding from \$17.4 billion to \$22 billion. Indeed, we have replaced the cuts that have been made by the federal government. As the member well knows, until recently we have seen tremendous reductions in the CHST payments from the federal government, and just recently they did agree, as a first step, to restore some of that money. During that time period we have been ensuring that we are introducing new programs, that we are expanding the accessibility to physicians in the province of Ontario. As the member knows, we presently have an expert panel under Dr Peter George taking a look at how we can ensure we have the appropriate number of physicians in the province and located where they need to be.

Mrs Papatello: Minister, Mr Mousaly can't take that to the bank. His scheduled surgery is in London. You need to understand that people in Windsor see London as the mecca for health care. The orthopedic surgeon in London confirmed that because of hospital cutbacks, they've closed two more operating rooms since September at London Health Sciences Centre, the surgeons have lost operating time, and there's a lack of anesthesiologists. Minister, the London hospitals sound like Windsor hospitals now.

I am asking you again on behalf of Mr Mousaly, who received this letter from the hospital in London. This letter confirms, "We have asked and continue to put our case for these much-needed funds before the Minister of Health." The letter says, "Up to this point, we have not

been successful.... We must control surgical case activity.... Please accept sincere apologies ... for this disappointing inconvenience."

I want to tell you that Mr Mousaly, with two small children at home, a professional skilled tradesperson who needs to work to provide for his family, is waiting until at least next November for knee surgery. How is anything you just said going to help him get back to work?

Hon Mrs Witmer: The member will know that, as I indicated in my response to her first question, our government has actually increased health funding in the province of Ontario despite the cuts by the federal government. Furthermore, health funding to the hospitals has increased.

I'd just like to share with you that in 1998-99, hospitals received \$6.8 billion; in 1999-2000, they received \$7.4 billion; and in 2000-01 they receive \$7.7 billion. I can assure you that one of the beneficiaries of this increased hospital funding has been the hospitals in London. They have received their fair share and certainly they are moving forward.

CORRECTIONAL FACILITIES

Mrs Brenda Elliott (Guelph-Wellington): My question today is for the Minister of Correctional Services. I was shocked to read in today's Toronto Sun that the federal Liberal government will be spending over \$1 million on yet another recreation centre for federal prisoners. It's one more example of the Liberal Club Fed philosophy. The new rec centre is going to be sponsored, of course, by the Canadian taxpayers, and will include a gymnasium, a swimming pool and a ping-pong table. This is in addition to an existing greenhouse, computer lab, rink and baseball diamond.

Minister, I can't believe the federal Liberal government—

Mr Dominic Agostino (Hamilton East): Another Stockwell Day question. Are you running for the Alliance as well?

The Speaker (Hon Gary Carr): Order. Would the member take a seat. Member for Hamilton East, I warned you before. This is your last warning. You can't shout across like that.

Mrs Elliott: Minister, I can't believe the federal Liberal government is going to build this program, and the reason given is even more unbelievable. They say it's needed because the prisoners are escaping due to boredom.

Mr Doug Galt (Northumberland): Boredom?

Mrs Elliott: It's true; unbelievable.

Minister, how do you view this Club Fed philosophy, and what do we do in Ontario prisons to ensure that our prisoners are kept busy?

Hon Rob Sampson (Minister of Correctional Services): I want to thank the member for Guelph-Wellington. I think now we have the complete picture on how Liberals get tough on crime and criminals.

First of all, they send convicted murderers off to Club Fed to parade around in evening gowns and have birthday parties and participate in cosmetics shows, but if that's not enough punishment, they have the golf facility on the west coast for them to participate in, with a little fly-fishing and horseback riding on the side. That's the complete picture we now see. We now see that Liberals believe that in order to complete your incarceration in Canada, you have to have a swimming pool and you have to have a recreational facility. You have to have all of these because that's the Liberals' definition of punishment in this province and this country. That's not this government's belief in the way corrections should be done. I want to assure the member of that quite clearly.

1520

Mrs Elliott: I think my constituents would agree that prisoners do not deserve better exercise facilities than most of our own law-abiding citizens.

You mentioned that Ontario facilities do offer a number of programs. I would be interested, in particular, in those that teach employment and lifelong learning skills, and I understand you recently made an announcement to expand that program. Would you share with our colleagues here in the House, and hopefully our federal Liberal cousins will be hearing this as well, what Ontario does to rehabilitate prisoners?

Hon Mr Sampson: We have been speaking quite clearly that we believe there should be a balance between rehabilitation efforts of governments involved in incarceration and imprisonment; there needs to be that balance there. We've been saying that quite aggressively to the Liberals. They don't want to listen. They never have wanted to listen about this because they believe, again, that to be tough on crime you need to have evening gowns as prison garb, you need to have birthday cakes and golf facilities, and now you need to have a pool.

What you really need is a facility that provides no-frills correctional functions, one that deals with rehabilitation, because rehabilitation is a very important part of making sure we don't bring criminals back into the system as criminals. But surely there needs to be some form of punishment. Liberals don't believe in the form of punishment that we happen to.

TENANT PROTECTION

Mr Rosario Marchese (Trinity-Spadina): My question is for the Minister of Housing. With your red tape bill, you are throwing more families into the street just in time for Christmas. Your red tape bill allows the tribunal to designate employees as default order officers. In my view, this is a serious problem. Default orders are given out when the tenant doesn't show up to contest an eviction, and 99% of these are evictions. Are you going to withdraw your eviction SWAT teams, or do you see tenants as so much red tape?

Hon Tony Clement (Minister of Municipal Affairs and Housing): We on this side of the House believe in our campaign promises and our commitment to the

people of Ontario that they can live in a safe and healthy environment. Part of that is to ensure that those who are disruptive of that environment, either in social housing or in rental accommodation, are removed from there. Quite frankly, the people who are playing by the rules, who are within the law, are not engaged in trafficking or other forms of drug-related crimes, have a right to live in peace, and on this side of the House that's the side that we're on.

Mr Marchese: Speaker, I don't think he understood my question. I was talking about the fact that the tribunal is able to designate the regular employees working there as default order officers, and he's talking about something else.

Your idea of cutting red tape is throwing men, women and children into the streets; that's what we're saying. Your eviction SWAT teams turf families without having even heard their side of the story.

Just to tell you, the Centre for Equality Rights in Accommodation did a pilot project in collaboration with the tribunal. We learned that one third of the tenants had not received the eviction notice from their landlord, and one third of those who had received it did not understand that they had five days to respond to the application in writing if they wanted a hearing. It's wrong. This is truly, truly wrong. It's going to hurt tenants, and it's going to hurt more tenants to have more SWAT teams being able to have that power.

Minister, why are you so determined to put families at risk this winter by making evictions easier?

Hon Mr Clement: We're trying to create a balance in the law between the rights of the tenants and the rights of the landlords. In this case there is a procedure: eviction has to be served. If it is not served, the eviction is not in full force and effect. There is a period of time for someone to respond to an eviction. They can ask for additional time under the Tenant Protection Act.

All of those provisions are there to protect the tenant, but the landlord has a right, and the other tenants in the building have a right, to live in peace and security. That right has to be recognized in the Tenant Protection Act as well. We're the first government to recognize that right.

The red tape bill goes further, and we agree that we have to indeed buttress and enhance the protections for peace and security for people who are living in tenanted buildings, where they can have that peace and security for themselves and their families. On our side of the House, it's as clear as day.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr James J. Bradley (St Catharines): The petition is to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern

Ontario residents are often forced to receive treatment outside their own communities because of the lack of available spaces; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I affix my signature as I am in complete agreement.

Mr Rosario Marchese (Trinity-Spadina): A petition to the Ontario Legislature: "Northerners demand Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, northeast region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I support this petition.

The Acting Speaker (Mr Tony Martin): Further petitions? The member for Durham.

Mr John O'Toole (Durham): Mr Speaker, I just want a preamble for a bit here. I've not had this approved by the table, but I will go ahead with it because I'm sure it follows the correct procedure, and now I'm up.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The rules are very clear. In fact, they were rules that were imposed by that member's party and government. I think they should be applied.

The Acting Speaker: The member is out of order, so we'll go to the next one. The member for Elgin-Middlesex-London.

Mr Steve Peters (Elgin-Middlesex-London): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I am in full agreement and have affixed my signature to this petition.

1530

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): It just proves how efficient this government is. It has been approved in less than 30 minutes.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their

vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles."

I'm pleased to support this and sign it and present it to the table today.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): "Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

"Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

"Whereas Helen Johns, the minister responsible for persons with disabilities, will not commit to the 11 principles outlined by the ODA committee; and

"Whereas the vast majority of Ontario citizens believe there should be an Ontarians with Disabilities Act to remove the barriers facing the 1.5 million persons with disabilities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities in the province of Ontario."

I'm in full agreement and affix my signature to this petition.

HIGHWAY SAFETY

Mr John O'Toole (Durham): I'm pleased to present another petition on behalf of my constituents in the riding of Durham and indeed for all the people of Ontario.

"Whereas motor vehicle accidents are the leading cause of death in North America; and

"Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increases the risk of collisions; and

"Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of hand-held cellular phones, portable computers and fax machines

while operating a motor vehicle. We further respectfully request that Bill 102,"—that's my bill—"An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously"—in the interests of safety for all Ontarians—"by all members of provincial Parliament of Ontario."

I'm pleased to sign and support this myself.

PHOTO RADAR

Mr Steve Peters (Elgin-Middlesex-London): We're the duelling petitioners today.

"To the Legislative Assembly of Ontario:

"Whereas Mike Harris made the decision in 1995 to cancel the Ontario government's photo radar pilot project before it could properly be completed; and

"Whereas two Ontario coroners' juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of 'Carnage Alley'; and

"Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in BC, to a 49% decrease in fatalities in Victoria, Australia; and

"Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many local Ontario Provincial Police constables, the Canadian Automobile Association, the Ontario Trucking Association, and many road safety groups;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be 'Carnage Alley,' the section of the 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving."

I'm in full support and have signed this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Rosario Marchese (Trinity-Spadina): I have a petition to the Ontario Legislature.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I support this petition.

AGRICULTURAL LAND

Mrs Julia Munro (York North): "To the Legislative Assembly Ontario:

"Whereas the activity of farming is being severely threatened and restricted by urban sprawl and infrastructure construction in the GTA;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide protection of the class 1 to 3 farmland and the business of agriculture and provide a competitive environment conducive to the business of agriculture."

I affix my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Dwight Duncan (Windsor-St Clair): I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore the financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I join Nan Thomson and many others in signing this petition on behalf of people in northern Ontario.

Ms Shelley Martel (Nickel Belt): I have a petition regarding the government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners. I affix my signature to it, and I'd like to thank Gerry Lougheed for all his efforts to gather these names.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): It's my privilege to once again read a petition on behalf of my constituents in the riding of Durham. This is from Gary Carey, who lives in my riding and submitted this.

"To the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked" tirelessly "together to

recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation"—that's all we want him to do;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act" to allow the use of vintage licence plates "on vintage automobiles."

I'm pleased to support this with my name.

1540

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Speaker: I seek the unanimous consent of the House to revert to introduction of bills for the sole purpose of allowing the Minister of Municipal Affairs to introduce his bill with respect to the compensation of families of the victims in Ottawa-Carleton.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? I hear a no.

Mr Duncan: On a point of order, Mr Speaker: They indicated to the official opposition that in fact the bill may not be ready today. I wonder if a member of the government can comment on that.

The Acting Speaker: That's not a point of order.

ORDERS OF THE DAY

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Resuming the debate adjourned on October 11, 2000, on the motion for second reading of Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts / *Projet de loi 119, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.*

The Acting Speaker (Mr Tony Martin): The member for Nickel Belt finished her speech last time and we have two questions and comments left. I believe it's the government caucus's turn.

Mr John O'Toole (Durham): It's indeed my privilege to respond on Bill 119. I think everyone would recognize that all members here would like to eliminate red tape and to create opportunities for people in a whole variety of ways. I know Bill 119 has 16 sections. It has 200 amendments. It will clarify about 75 existing acts. This is long overdue. Management issues that make it more efficient—

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Speaker: I don't believe a quorum is present.

The member opposite is always well worth listening to, and I would ask for a quorum call.

The Acting Speaker: Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Durham.

Mr O'Toole: I thank the member for Windsor-St Clair for bringing this to my attention, because everyone in Ontario wants to reduce red tape and bureaucracy and overburdening the regular lives of regular people. Certainly the people in Durham have asked me on a number of occasions to be sensitive and to listen, and I do. I write to the chair and I speak to him. In fact I'm a member of the committee, on behalf of my constituents. That would be Frank Sheehan, a former member here, and Bob Wood, another member.

As I said earlier, there are 16 sections to the bill, each section dealing primarily with a ministry. It has 200 amendments, it streamlines 75 existing acts, and two statutes are repealed, such things as the Hunter Damage Compensation Act and the Ontario Training and Adjustment Board Act. It creates the Environmental Review Tribunal Act.

It really is important for us to respond by making government more friendly to the people of Ontario, and that's the essence of this whole thing. If you're interested, Mr Speaker, this is a brochure. They should write to any of their members—they're entitled—from all sides of the House, to try and deal with the process of simplifying government for the right reasons: to eliminate duplication and waste. It's essential that this committee—its mandate by this government is to do just that.

Our goal is to provide Ontario service and regulatory excellence second to none in the world. The commission has the full support to achieve this goal. That's signed by the Premier of this province.

I think the point has been made. I think they'll support the bill.

Mr Duncan: I want to address the part of the bill that deals with the compensation for victims of crime. It's not a regulatory change. In fact, it's a change in the legislation.

Almost a year ago, a constituent of mine notified me that he would be reaching his lifetime limit in terms of the compensation that was offered to him as a victim of crime.

He was left a quadriplegic some 25 years ago. At that time, we notified the Attorney General, and in fairness to the Attorney General, he seemed quite willing to review the case and to make sure the issue was dealt with. That was almost a year ago. There were constant reminders, through letters, through questions in the Legislature, through a whole variety of other initiatives undertaken by myself and other members of our caucus. In fact, the Attorney General waited and waited and delayed and delayed and delayed, and Mr Monforton's compensation expired as of May of last year. We had begged, prodded,

introduced legislation to show the Attorney General how he could fix the problem. I'm pleased to say that the broader aspects of the bill I introduced were adopted by the government. Unfortunately, the government chose to wait until this red tape bill to deal with it.

They talk a good game about victims of crime. We're anxiously awaiting the bill of the Minister of Municipal Affairs today with respect to the Ottawa victims of crime. My understanding is that nobody in the ministry was even aware of this change of policy until almost the moment the Premier got up in the House and spoke about it.

So this is a problem. They talk a good game about victims of crime. They talk about what the other levels of government do, but in fact, they're all talk and no action.

The Acting Speaker: Response?

Ms Shelley Martel (Nickel Belt): Thanks to the members for their comments. I would specifically respond to comments made by the member from London West, who said the following yesterday, and I'm quoting, "I draw to the attention of the member who just spoke that labelling standards are national. I think to the extent one has concerns about labelling standards in Ontario, they should make their case at the national level. We agree that those standards should be national, not confined to one province."

I draw the attention of the member from London West to the bill itself, because if you look at schedule P, which involves the Wine Content and Labelling Act, page 127, section 5, "Regulations," it says the following, "The Lieutenant Governor in Council may make regulations... (f)prescribing requirements and standards relating to the labelling of wine."

So the bill clearly gives the province of Ontario, through the Lieutenant Governor, back to cabinet, all the decision-making power with respect to the labelling of wine. That is no doubt why the Ontario Grape Growers' Marketing Board has written to members of this Legislature to raise their concerns and their complaints about this bill.

I want to read into the record again what I read yesterday. This is what the letter says, from John Neufeld, who's the chair: "Growers have pressured for this new act to be patterned on federal standards with a minimum of 75% Ontario or Canadian content in each bottle. Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by vineyard owners in places like Chile and Argentina and by the major corporations who operate most of the winery retail stores, with the benefits of keeping LCBO markups and other charges."

And they call on all members to have hearings and an open debate on this. I hope the government will be open to that important suggestion.

The Acting Speaker: Further debate?

Mr O'Toole: It's indeed my pleasure to consume part of the time and, with your permission, I would be prepared to share my time with the minister. I will seek unanimous consent.

Mr James J. Bradley (St Catharines): Which minister?

Mr O'Toole: The Minister of Labour has indicated that he's interested.

The member for Windsor-St Clair raised a very good point about—I'm not looking at the bill here, I wish I had a copy of the bill with me right now. That one there would do. There is a section under the amendments in this bill—

Mr Bradley: Have you read the bill? I've read it from cover to cover.

1550

Mr O'Toole: It's my responsibility as parliamentary assistant to be quite familiar with it.

I think it's important to look at the schedule dealing with the Attorney General amendments. Under that there's the Compensation for Victims of Crime Act, which of course has been brought up here. It should be pointed out that the limitation period for making an application for compensation under the act is increased.

All governments have the opportunity to make minor administrative amendments, and this government in this bill is doing that, responding to issues that are raised from all sides of the House here. In this particular case it has been, as I said, increased from one year after the date of an injury or death to two years. So that has been a clear response to, whether it's the member from Windsor-St Clair, on an issue brought up in the House earlier, where the government was listening and indeed amending, or in this case the Compensation for Victims of Crime Act.

We saw today in the House the clear mandate of our Premier in questions from the opposition leader with respect to a municipal decision that had been made, and you can see the Premier is quick to respond to defend victims. So to even suggest here in any tone in this debate of Bill 119 that that hasn't been responded to would be absolutely incorrect.

As I said before, it is a very wide-ranging bill and the stakeholder groups under the 16 schedules in many cases have been aware. One of the members here today, the member from Nickel Belt, I believe, raised the wine content issue. That issue, under the Wine Content and Labelling Act, is a reasonably technical thing. I'm not qualified to speak at any great depth on it, but again it addresses the issue of labelling for consumer protection, to recognize in the different wordings that are used that the content of the product will be reflected on the labelling. That's very important from a consumer's perspective, again eliminating red tape and clarifying for the people of Ontario what it is indeed they are being assured of by the government, in this case under the content rule.

Mr Duncan: On a point of order, Mr Speaker: There's no quorum present in the House.

The Acting Speaker: Is there a quorum?

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Durham.

Mr O'Toole: Thank you, Mr Speaker. Certainly on a Thursday afternoon I realize that some members from distant parts of Ontario like to go home for Thanksgiving, but we'd like them to come back, and that was last weekend.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): And distant parties.

Mr O'Toole: And they're also distant parties. It would be dismissive and unkind of me to mention that there were no NDP members in the House, so I won't say that—pardon me, with the exception of Mr Martin, in the chair.

I'm going to make sure that I try to get to what I believe are important points on Bill 119, a very sizable piece of legislation, broken, as I said, into 16 schedules, streamlining five acts. But I am going to focus, if I may, with your permission and indulgence, for approximately 15 minutes. The elimination of red tape helps to stimulate business activity and encourage jobs in Ontario, but judging from now I can see that there are 786,000 net new jobs that have been created in Ontario since June 1995. The cuts to red tape have been part of that. This is 786,000 jobs in the private sector. These aren't hokey-pokey Ontario kind of jobs, they're actually—and you know, the byline that we should all be responding to is that small business creates jobs, and in many cases the regulated burden, the licensing burden for small business is indeed what we're addressing this afternoon.

Again, call the number. Call my constituency office. We'll make sure you have a voice, and as well we'll send you some information on how to engage in the process with Mr Wood and Mr Sheehan.

The Red Tape Reduction Act not only eliminates costly and frustrating red tape for people, it carries through on a promise made by this government to run the province efficiently, effectively and responsibly—and I'm adding that word, because that's the bottom line here, to be responsive to the constituents; not just my constituents, but all the people of Ontario.

What will this mean to the public? Clearly, one of the proposals in this act would see the elimination of, for instance—this one here I found quite interesting—the Change of Name Act. That requires newlyweds to change their surname within 90 days as a time restriction. This bill will take away any time restriction limitation on changing your name, a very long outdated, over-burdening regulation.

The red tape acts will also prohibit the charging of significant up-front fees by credit repair companies for services that consumers can do for themselves at little cost. We know that in some cases today in Ontario, there have been scams running. Those scams are saying, "We'll fix your credit rating for a fee." They take the fee and they do nothing. This prohibits that, what I'd call abusive behaviour in the marketplace today.

The Ministry of Consumer and Commercial Relations, Minister Runciman, has been stalwart, almost like when he was the Solicitor General, in defending the interests of the consumer. The number of issues that he has going

today in that ministry is quite astounding. He has consultations going on around the Motor Vehicle Dealers Act and the Tourism Act, as well as the Real Estate and Business Brokers Act. The interest there is to simplify and clarify for business, but also to strongly protect the consumer.

One of the most important ones, I think—in my riding of Durham, of course, there are a lot of new, young families. A very important change here under Minister Runciman is the Ontario New Home Warranties Plan Act. The MCCR is amending the act to ensure that purchasers of new homes are covered by the plan whether they bought the home from the builder or a subsequent owner, again responding to those people, those young families that have perhaps run into difficulty with a home, to make it far more transparent and friendly for them. I can assure you that I hear about those issues in my riding of Durham. This amendment helps to ensure that the program will meet its objective by protecting the new home buyers in Ontario. In fact, we all know how robust and brisk the home-building sector is in the province of Ontario.

The Consumer Reporting Act: again, it's very important; I wanted to draw to your attention that we're taking action to improve the Consumer Reporting Act to prohibit credit repair companies from charging customers large sums of money in advance to help them repair bad credit. I've mentioned that before, but I think it bears repeating. This is another one of those fly-by-night operations that the minister is cracking down hard on, those abusive kind of situations.

There are so many actions going on in a lot of ways protecting the consumer, especially with a growing seniors population and the need to provide some sort of response line, a 1-800 number for the fraud-busters, I think it is called. That help is important to our constituents.

In the Collection Agencies Act, the definition of "collector" has been amended. That's to clarify, again, for the consumer. The industry asked that individuals who do not collect debt or work directly with debtors should not have to be registered, thus eliminating some unnecessary red tape and regulations.

Ms Martel—pardon me, the member from Nickel Belt—mentioned the Wine Content Labelling Act. This would see the repeal of the 1988—I'm not sure who was in government then—Wine Content Act. This newly proposed act is to establish minimum content and labelling standards for the manufacture of wine in Ontario. We know, Mr Speaker, and certainly you know, and the members from Niagara—and in my riding we have wineries as well. The act now clarifies what wine and wineries are. That's very important. When you look at the bottle, you look at the label, you know what you're getting.

1600

In addition, the act will authorize "a manufacturer licensed under the Liquor Licence Act to keep for sale or sell wine that has been made from imported grapes or

grape product." We are in the free trade world. There are those for and there are those against, but again it's ultimately a consumer issue.

I was on a flight with Air Canada, and I was surprised that there were no Ontario wines offered on their wine list. I wasn't buying wine, because I wouldn't drink on my job, by any stretch, but I did inquire. I was also surprised that in certain jurisdictions—I sort of think of myself as a bit of an ambassador for Ontario, and I ask for Ontario wines. I know the member from Niagara, Mr Maves, is one of those who is always promoting Ontario wines, and I think that's where it begins.

This clarifies the labelling. It says the consumer now has a clearer understanding of what they are purchasing.

Niagara wines are excellent. I can't say it with any experience, but I know there are members on the other side who can.

Interjection.

Mr O'Toole: The member for Hamilton East has just acknowledged that he knows a good wine from a bad one, and he has the kind of income to support that lifestyle. I don't. I have five children, and so it's more difficult for me.

The Condominium Act has been worked on right from 1995. Minister Flaherty, who is now the Attorney General, was parliamentary assistant to Minister Sterling, who has since moved as well. They initiated the original hearings on amendments to the Condominium Act. We will be amending sections regarding the title to real property. It's very important to clarify that in a condominium—it's a growing marketplace. A condominium corporation could not deal with real property or any interest in property it does not own unless specifically allowed by the act.

Dealing with properties involves the power "to grant, transfer, lease, release, dispose of" said property. For condominium people, that's a small administrative improvement, enhancement, streamlining, efficiency, responsiveness—all the words I can think of that would conjure up a positive way of dealing with it.

I could say that administratively the Premier has empowered two members, a former member and a current member, to listen. They are available, without all the politics of this place at times, to listen to consumer concerns and, where there is red tape, I can assure you the support people in that commission are there to serve. They've been reviewing everything from the funerals and cemeteries acts—they are dealing with the content—the brokers act, a whole bunch of them.

Just recently I had a call, and in fact I just sent it to Mr Sheehan. A Miss Jacqueline Vaneyk, one of my constituents, was raising money for the local church. They wanted to have a raffle of a quilt. The application she was given for a simple, volunteer-driven activity to raise money for a worthwhile charitable cause was onerous. I've sent that to the commission, and I expect that to be corrected in the next bill, if it hasn't already been done, because this is a large bill. I haven't read every section in

detail. I have been briefed on the generalities, and that's what I'm sharing today.

Public notice: as we all know, the Ontario Gazette is mandated under the Ontario Official Notices Publication Act to communicate notices which the government deems important enough to legislate, a proclamation of legislation, new or revised regulations, official notices required by law etc. A Gazette is published in Commonwealth jurisdictions. It has been published weekly in Ontario since pre-Confederation times. Publications Ontario operates the Gazette on a cost-recovery basis.

The following amendment is proposed—and this is one more detail that I think the consumer here today should know. Section 4 of the Official Notices Publication Act is amended to change the manner in which the price of single copies of, and subscriptions to, the Ontario Gazette are set and the cost of placing notices in the Gazette. Under the act as it is now, regulations are required to accomplish these changes. Under the proposed amendments we're dealing with here today, the Queen's Printer would set the price and the cost. Notice of price and cost changes would be published in the Gazette. Now, how practical is that? Eliminating a whole bunch of bureaucratic meetings and gobbledegook, if I could use that expression. Perhaps it's never been used here. Certainly, I have used it today.

What does this affect? I guess you'd have to say this does not directly affect everyone, since the proposal does not change any price or cost but just the process for change. Indirectly it affects all those who purchase the Gazette or place notices in the Gazette. However, they have not been consulted because the changes affect internal efficiently rather than delivery of the publication to the public. In fact, there are those who suggest that with the e-commerce environment we're in, we have to modernize and improve communications. Certainly, I expect that to be part of future red tape bills.

I can tell you that the history so far—this is the 12th or 13th red tape bill we've brought in. It's my understanding that the government is out there consulting and listening to improve on all fronts, whether it's the Wine Content Act or the act I mentioned earlier under the Attorney General. Maybe in the remaining time I'll just read that, unless someone else has a few things to say.

I believe it all starts with the fundamental byline I would like to leave, which is common sense. If we're always listening to our constituents across the 103 ridings in Ontario, and those concerns are brought to the proper authorities, meaning our government, then we'll make sure those concerns are dealt with.

Where there are process problems for small business—the member from Toronto Centre-Rosedale would probably like to help the small business people in his riding. If he wants to, there's one place to call. Just call the government, and we will help.

Interjection.

Mr O'Toole: We're there to eliminate the barriers to opportunities to people. I know you're acknowledging that, and I can see you agree, just by what you're saying.

Improving customer service is part of common sense. I think the government is doing that, and that's part of what I've tried to cover today.

Because it's Thursday, I'm going to relinquish the rest of my time. If someone here wants to address it, they could let me know and I'll relinquish the time. Otherwise, there's no chance I would give up the three minutes and nine seconds. Not on your life. Actually, this is my life, and all members' here. I know they work hard.

I think I'll just go through it:

In Agriculture, Food and Rural Affairs, one statute is affected in this bill;

The Attorney General, 15 statutes and 33 amendments;

Consumer and Commercial Relations, Minister Runciman, 20 statutes and 48 amendments;

With the whole deregulation of the generation and distribution sector, there are amendments in Energy, Science and Technology;

We've heard from the minister today that the Ministry of the Environment has been strengthened, further improving outdated, unresponsive legislation;

The Minister of Labour, of course, is here today, along with a number of the members on this side of the House, and the Minister of Correctional Services is here as well;

The Minister of Labour has a statute that has 25 different amendments to various sections;

The Minister of Municipal Affairs and Housing has brought forward six different statutes with 28 different amendments. This is very strong, with a lot of work being done in that ministry;

Natural Resources, 10 statutes, many of them outdated and that have been asked for by many stakeholder groups.

This bill really speaks to the whole issue of a responsive government.

Now many of these aren't glamorous; many of these are administrative. But what it does is demonstrate to the people of Ontario, regardless of party stripe or geographics or any of those things, that we're listening and we're acting.

In the past there's been a lot of listening and no action, and these regulations have piled up. There are volumes of them. Actually, it was quite intimidating when we first got into this as new members here in 1995.

As the Premier said today, we probably need—I know myself I probably need about another 15 years here to get to the bottom of that pile. I'm counting on you, and I'm counting on the people today to realize that I'm here and I'm at work and we're doing the job. I've told you there are 75 statutes and over 242 amendments flowing from it. The work has just begun. We need another term—maybe two terms—to finish it.

1610

The idea is that there's a written test as well, and that test is the ability to build within the culture and the discipline of each ministry. They're looking at what's the cost and what's the advantage, and that whole discipline is flowing through. I think the public civil service in

Ontario is far more customer-focused. I have a lot of respect for them. They're doing a tough job, with less money in many cases, but I think they're doing a better job. I have more confidence. I am an optimist that we're giving them the tools to make Ontario a better place to live, to work and raise a family. This may be the first time that phrase has ever been used.

Hon Rob Sampson (Minister of Correctional Services): I've never heard that phrase before.

Mr O'Toole: I like it being said, "To live, to raise a family and to work," because I always like to put work last. I'm quite old, but not to trivialize it, this is a bill that's long overdue, and the job is not done. One more term will do it.

The Acting Speaker: Comments and questions?

Mr Rosario Marchese (Trinity-Spadina): This is one hell of a thick bill. Look at that. Look at the thickness of this bill.

Interjections.

The Acting Speaker: I think you'll have to withdraw that word.

Mr Marchese: A heavenly bill, Speaker. I withdraw the word "hell," yes. We are in purgatory in this place, is all I can tell you, on a constant mission to get out of it and reach some higher state of being or reach heaven, if we could. I've got to tell you, they need to pay me to be in this place, more than anything else, because I've got to listen to this stuff on a daily basis—in purgatory every day.

Bill 119, look how thick it is. I'm going to read the title for you. It says, "An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts."

If you want to confound the opposition, if you want to befuddle the whole thing, if you want to confuse the journalists—because they won't have time to read this stuff—you put together an omnibus bill and you label it however you want, and that's how you manufacture consent. It's an act of obscuratism, because nobody has a clue. You just have to call it An Act to reduce red tape, to promote good government, and the whole world is supposed to say, "This is a great bill." Why? Because the Tories say so. Why? Because the title tells you that it's a good bill. All of you good citizens can go home to rest, lie down, because they've done the work for you. You don't have to read it. It's all in there. It's an act of obscuratism, nothing more.

Mr Bob Wood (London West): The member in his comments made reference to the question of wine labelling and wine content. I'd like to set out for the House just what we are doing in this bill. We're getting rid of quotas. That's because we have confidence in the product that's being produced in Ontario. In actual fact, our grapes are highly marketable. I'm rather surprised that some on the opposition side of the House have no confidence. In actual fact, VQA wines, which of course are 100% Ontario grapes, over the last 11 years have seen

sales go up 300%. I'm rather surprised that some of the members on the other side of the House lack confidence in our growers and their product. In fact, their lack of confidence is quite ill-advised. They don't understand how much recognition and how much quality those grapes have.

On the question of labelling, national standards are being developed now. At a minimum, we're going to adopt the national guidelines. We may well add to them. As the MPPs may be aware, in 1992 the NDP lowered the minimum content from 30% to 25%. This bill raises it back to the 30% level. I think you'll find that both of these initiatives are going to have very positive results for the wine industry in Ontario, and for the consumers, not just in Ontario but throughout the world.

Mr George Smitherman (Toronto Centre-Rosedale): It's great to have a couple of minutes to follow on the speech by the member from Durham, who talks so much about customer service. I found it interesting that at the same time he was talking about customer services, someone who sits near him, the member from York North, was there then and she didn't comment or heckle him to talk about the pending closure of the Sutton medical clinic. When we want to think about customer service, the ultimate service people want government to provide to them is at risk in this situation because of the failure of that government to recognize the extraordinary needs of people who are dealing with health care.

Sutton isn't some remarkably remote or rural area in our province—it's part of our greater Toronto area—yet because of the failed policies of this government with respect to health care, we see that this centre, which is 40 kilometres from the nearest hospital and has been credited with saving life after life, is put at risk. The ultimate piece of customer service, one would think, is the ability to receive necessary medical services near to home. Instead, the member from Durham goes on and makes speeches about customer service, which of course is threatened all across the breadth of this government's service by their declines and their willingness to hide behind voice mail, unanswered lines, and the FRO, which doesn't provide any customer service at all.

We've got this extraordinary situation going on with the medical centre in Sutton where the government of the day has seen these extraordinary declines in the number of medical practitioners in that community. Their policies have failed to do anything about it. The centre is risking closure. The member today stood up and had a member's statement crediting the operation of a business. Instead, she should be spending her time hammering her own government for their failed policies, which will see thousands and thousands of residents in the greater Toronto area losing access to important primary medical care that they require. That's what we should be talking about.

Mr Bart Maves (Niagara Falls): It's always a great pleasure for me to respond to the member for Durham and his speeches. They're always well researched. He's probably one of the most thoughtful members in the

Legislature. The amount of time he spends in here, in earnest, reading bills and thoroughly going over every comma and every period that's in a bill, is just truly remarkable to some of us. It's always a pleasure to hear him speak and to follow him. I want to congratulate him once again on his efforts on this bill in particular. I know he's been very active in creating several parts of the bill and that work on his part deserves to be acknowledged.

The member opposite was complaining that the bill is 128 pages. In actual fact, it's 64 English pages and 64 French pages. It really shouldn't be that much work for him to get through 64 pages of a bill. It does affect a great number of acts throughout the province of Ontario. As the member from Durham said, we have just so much red tape to get through, it will probably take us three or four more mandates, with the help of the Red Tape Commission, to get through all of this.

Part of what's in here is some changes to the Wine Content Act that was ending at the end of this year. Over the past three years now, the grape growers, the wineries and the government of Ontario have tried to work to put some things in place for when the Wine Content Act ended. It was a very tough struggle back and forth between wineries, government and grape growers. We hope we've come to a decent compromise, but I still submit that more work needs to be done, and will be done, in this area so that Niagara's grape growers and wineries will continue to flourish.

The Acting Speaker: Response?

Mr O'Toole: I personally want to thank the member from Trinity-Spadina, who is also very entertaining most of the time; the member from Toronto Centre-Rosedale, who is new to the House and is certainly learning the ropes; the member from London West, an experienced practising lawyer—I think he's still practising here this afternoon actually—and the member from Niagara Falls, of course, who is intimately familiar with this. In fact, his remarks will probably be mailed out to all of my constituents. Thank you very much for that. Most of it, by the way, is true. In all humbleness, it's better to have third party endorsement than to go about blowing your own horn.

There are issues, some of which are regulations and some of which aren't regulations. I look at some of the crises today in ambulance and critical care bypass and I think all of us should be looking at ways of making sure that there are clear lines on redirect. Hospital administrators themselves, if there was \$1 million given out, would all be fighting over who got what and why. I think we've got to put patients first, put constituents first. In this small bill, as Mr Maves has pointed out so insightfully, I might say, under the Health Insurance Act there's a kind of innocuous little amendment here, but it's customer-oriented. That's what this is about. It's eliminating those little oversights. Previous governments may have made them; in fact, it could have been a Conservative government; not likely, but there is a chance.

Certainly under the NDP there were a lot of hasty pieces of legislation. I remember the IWA, the Interim

Waste Authority. They spent \$90 million and haven't made one decision on waste management—\$90 million of hard-working taxpayers' money. They just didn't have the courage to make the difficult decisions.

There are changes to, as I said, 16 different statutes here. It's long overdue. We need more time to finish the job.

1620

The Acting Speaker: Further debate?

Mr Bradley: I am pleased to talk about this bill because it will give me an opportunity, for instance, to defend the farming community in our area.

Right off the bat, I know that I am going to get—

Interjection.

Mr Bradley: Why are you holding up the bill like that?

Mr Gill: It's the red tape bill.

Mr Bradley: Yes, red tape. The Ontario Grape Growers' Marketing Board, the Wine Content Act: that's farming. I don't know if they have farms up in Mississauga, but they do have farms in St Catharines and that area.

Hon Margaret Marland (Minister without Portfolio [Children]): I'm coming to a wedding at the Henley tomorrow.

Mr Bradley: I'm glad the minister is coming. The member for Mississauga South is coming to a wedding in—

Hon Mrs Marland: The Henley Regatta.

Mr Bradley: At the Henley Regatta, the clubhouse there. That's good to hear. I know she has an association with rowing and of course Olympic champions within her own household.

But I want to deal with the red tape act. The first thing I want to say is, you've got to watch for these omnibus bills, or, as a previous Speaker used to call them, "ominous" bills.

I heard some people make fun when he said "ominous bills," but he was right. A lot of these omnibus bills were indeed ominous bills.

What you have to look for in these red tape bills is the hidden hostages. The member for Etobicoke North knows I want to support some of this legislation. Then I look in the bill and I see the hostages, the parts that can't be supported.

At least two people on the government side I know will be voting against the bill along with me. That will be the member for Niagara Falls and the member for Erie-Lincoln. I think they'll have to vote against the bill, because I looked at the polls in those areas. That's what won the riding of Niagara Falls for the member for Niagara Falls: the Niagara-on-the-Lake section—a lot of farmers in there. So I know he will be with me, voting to assist the farmers, in a good indication of the support that he received during the last campaign.

Mr Hudak, the member for Erie-Lincoln, has a lot of grape farmers in his riding. Indeed, he won those polls. So I know that Mr Hudak will be supporting the grape growers. I know that.

Both of them will be in to vote against the bill. So I know that, in addition to the opposition members, we'll have at least two additional members voting against the bill. I know that.

Let me share some of the correspondence that has come in from individuals who are concerned about this bill.

The first comes from the Ontario Grape Growers' Marketing Board. Let me share with you what they're saying about the hostage in this bill, the Wine Content Act:

"The replacement Wine Content Act is being included in Bill 119, which had its first reading on October 4. This is the red tape reduction bill; the Wine Content and Labelling Act is to be part of this omnibus legislation....

"Growers are concerned. The replacement act merely continues the provisions of the act of 1988, which were a response to free trade provisions. In 1988 the determination of the province was making it possible for our wine and grape industry to restructure for the cold winds of the global village. Growers have done this at great expense.

"We are concerned that wines with only 30% Ontario content will continue to be sold in Ontario winery retail stores which by their nature were intended to promote Ontario agri-products. Now the practice of selling wines that are predominantly foreign and imported at surplus, distress prices will continue to be retailed in Ontario winery stores by the mythology of labels 'Cellared in Canada.' Does anyone know what that means?

"This is not pursuit of quality; it is seeking the greatest profit. Growers have pressured for the new act to be patterned on federal standards with a minimum of 75% Ontario—or Canadian—content in each bottle. Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by vineyard owners in places like Chile and Argentina, and by the major corporations who operate most of the winery retail stores, with the benefits of keeping LCBO markups and other charges.

"These benefits surpass \$50 million a year in add-on gross profits for these corporations, in addition to tax reductions on sales via their own stores."

That's from the Ontario Grape Growers' Marketing Board. They talk about their concerns with the Wine Content Act. They thought, first of all, as it used to be, that it would come in as an independent act, so that people could discuss it, we could go out to committee and we could hear every one who had a concern and then make an appropriate decision. Obviously this government wanted to hide this in this bill, hoping no one would find it and they could rush the bill through.

But let's hear now from the Niagara North Federation of Agriculture, RR 1, Smithville, Ontario. It was written to me, and it's from Mr Albert Witteveen, president. He says the following:

"The Niagara North Federation of Agriculture is an agricultural organization with over 1,100 farm family members. The mandate of the federation is to promote and protect agriculture in the Niagara Peninsula. Niagara

offers the most diversified area of food production in all of Canada and agriculture has proven to be the economic mainstay in Niagara.

"The Niagara North Federation of Agriculture has recently been approached by several members who will be affected by changes to the Wine Content Act. Their directors have reviewed their recommendations and support their requests. The Niagara North Federation of Agriculture supports the following recommendations:

"Full and honest disclosure on labels of the origin, and varieties, of grapes used.

"Limit the volume of wine from one tonne of grapes to the natural yield.

"Wines that are product of Ontario to be 100% from Ontario, and wines that are product of Canada to contain 75% domestic grapes.

"Only wines of Ontario and wines of Canada may be sold in winery retail stores or placed in the Ontario or Canadian sectors in LCBO outlets.

"Winery retail stores were established to market Ontario products, not imported wines hidden in blends.

"Agriculture in Ontario, including Niagara, is continuously being threatened by government regulations and policies. If we are to survive, it is essential that we protect our agricultural industry. At this time, the Niagara North Federation of Agriculture would like to request that you support the Ontario Grape Growers' Marketing Board and their recommendations."

That's from Albert Witteveen, president of the Niagara North Federation of Agriculture. Certainly it's very important that we listen to the representations which have been made in this regard.

I have another one, from two grape growers. In this particular case, it's Vladimir Dim from Jordan, Ontario, regarding the Wine Content Act.

"We are writing in support of the Ontario Grape Growers' Marketing Board suggested changes to the Wine Content Act.

"As area grape growers we strongly support the following"—and they were listed as the Niagara North Federation of Agriculture wanted them.

"The 12-year adjustment period is over. The growers have invested a great deal of money, time, sweat and effort into improving and continuing to improve the varieties of grapes required to produce a product unique to Ontario and Canada. It is time for the Ministry of Commercial Relations to support the backbone of the wine industry in Canada, the growers."

They have copies to Tim Hudak, Bart Maves, Peter Kormos, Brad Clark and Bruce Crozier.

1630

I have another one. I guess the member for Stoney Creek will vote against this bill along with me, because he has grape growers in his area. Of course they would be impacted by what the government is doing with the Wine Content Act in this area—again, an area won by a government member, and I suspect if you looked at the polls in that area, you may find some significant support for that person.

Here's the Niagara Peninsula Fruit and Vegetable Growers' Association. Let's hear what they have to say. This letter is from Doug Whitty, who is the president. It's to Mr John Neufeld, who is the chairman of the Ontario Grape Growers' Marketing Board.

"Dear John,

"We have been following comments by growers, processors and government sources concerning a replacement Wine Content Act.

"This association represents all fruit and vegetable growers, including grape growers, in the Niagara Peninsula and we are concerned by actions that carry the potential to weaken any segment of the fruit and vegetable industry, as the segments are so interrelated.

"Grape growers have worked progressively to create a respected wine industry in Ontario, in partnership with wineries. They have led by example and by huge investments over the past 10 years. Their commitment has been a major influence in keeping Ontario's tender fruit lands as a productive source of job generation.

"The province must not permit processed agri-products to be passed off as 'product of Ontario' when this is a deceptive practice. The province must not turn a blind eye when other descriptions are used which carry a strong, and misleading, implication that imported, foreign products have been grown and processed in Ontario. An example is the term 'Cellared in Ontario/Canada.' No matter what the fine print may say that accompanies this term, the illusion is created for consumers that this represents a totally made-in-Ontario product, when this is—abundantly—not the case.

"The Ontario wine industry must be a totally Ontario wine industry, if our wineries are serious about status, quality and providing wines that are distinctive of wine regions of Ontario. We question whether adding water reflects a commitment to quality. First and foremost in all these deliberations must be the rights of consumers, here in our own marketplace.

"Finally, we see no excuse for delaying the implementation of change, to make certain Ontario wines are from Ontario grapes. If there currently is a shortage of any variety after 12 years of preparatory time, that would be a terrible indictment of processors in general, showing a disregard for basic planning.

"I hope these positions will prove helpful for the grape growers and your board of directors. Please keep me informed on progress, as our members are deeply interested."

That is from Doug Whitty, president, Niagara Peninsula Fruit and Vegetable Growers' Association. So Doug Whitty is very concerned about it.

Here's John Neufeld, who is the chair of the Ontario Grape Growers' Marketing Board. Let's see what John has to say. You will see John around here from time to time when grape growers make their presentations. The Minister of Consumer and Commercial Relations comes in and smiles, the Minister of Agriculture comes in and smiles, and then they hide something in this act that is, in

the viewpoint of the farmers, detrimental to their particular position. He writes to me:

"For your information I am passing along a copy of a letter which now has been faxed to every winery in Ontario and in British Columbia. As you will see this was a co-operative move by us and the Association of BC Grape Growers. We have concerns in common and we also prefer reaching a solution which will apply nationally and fairly in Canada.

"I will let you know what response we receive.

"I still see comments in print about a shortage of this or that grape variety. If this is true after a 12-year period for adjustment, the solution is simple and always has been. A winery may approach a few selected growers with the offer that if you will grow these, we will buy. End of shortage. Despite our requests we have not been able to secure guidance on varieties to plant, or the volumes needed, and I have no patience with people who prefer grumbling to solutions.

"One point specific to Ontario is a system of winery retail stores. These were established for marketing Ontario products and currently they carry wines with as little as 25% Ontario grapes. This will change at the end of the year, under the replacement Wine Content Act. Hopefully this will include quality standards patterned on the successful system in the United States which is internationally respected, bringing the introduction of wines of Ontario, with 100% Ontario grown grapes, and wines of Canada with 75% domestic grapes.

"Only wines respecting these qualifications should be eligible for inclusion in the retail stores. Wines that do not qualify as Ontario or Canadian in fairness should be regarded as imports, and retailed as imports. Otherwise there will be no incentive to aim for excellence in our wines and project pride in our province.

"This confusion would continue for consumers if foreign and Ontario wines are stacked side by side, in the LCBO or the winery stores.

"Yes, we have the supply of grapes needed. No, honesty in labelling should be delayed no longer.

"We welcome your guidance."

I'm in agreement with them. There are several letters, and they have certainly stated their case extremely well.

As I say, there was some considerable support for this government and this political party amongst those people whom I am speaking on behalf of this afternoon. I've found a third member now. I know that Brad Clark and my friend Jim Hudak from the Niagara Peninsula and my friend Bart Maves will all want to vote against this legislation because it doesn't address the concerns of the farmers in our area, and they should certainly be aware of that.

As soon as I see a red tape act I become very concerned because there are other aspects in past acts which have been detrimental. When the Red Tape Commission was set up, it was set up to remove a lot of regulations, eliminate them completely, or to modify them. As soon as I saw my good friend Frank Sheehan on the commission I knew that we would not have a Red Tory doing

this, or a person whose views would be anything other than very conservative.

In fact, I saw Frank the other night. He went to see John Turner, the former Prime Minister of Canada, speak at Brock University. Frank and I were conversing and I said I mentioned him affectionately in the Legislature from time to time. I think he thought that it was less than affectionately, but nevertheless it keeps his name before the public.

Interestingly enough, when the Red Tape Commission was re-established, it was the same day as the Walkerton news broke. How ironic, because what we have seen happen is an erosion of the kind of regulations and legislation that were necessary to protect our drinking water in the province. On the same day they're re-establishing the Red Tape Commission to get rid of more regulations.

Obviously, there are always some regulations out there that time tells us are no longer needed, that affect something from the last century or something of that nature. But there are a lot of regulations that have been put in place to protect consumers, to protect the people of this province, I think in health care, in public safety and certainly in the environment. I'm always worried, when I see a bill like this come in, to look for those.

There are amendments to the Public Guardian and Trustee Act. The only purpose of the amendment appears to be to let the government gouge people with more user fees. We know that the government has well over 900 user fees that have either been introduced new or increased by this government. They like saying they've cut taxes, but they've increased user fees. Whom does that normally hit the hardest? Well, it hits the people of modest means hardest. Rich people can always afford the user fees. They grumble a bit about them, but they can certainly afford them. The people who become excluded from an activity or a service are, in fact, people of modest economic means, when you apply a user fee.

An example all of us would recognize is the number of kids out there now who are unable to play hockey because of the very high price now of ice. That is because the provincial government has downloaded so much responsibility and financial obligation to municipalities that they are now forced to find new sources of revenue, so they up their prices for the use of their arenas and therefore the price of registration goes up considerably for various organizations. For kids on travelling teams or all-star teams, it's very prohibitive for those who are of very low economic means, and that's most unfortunate.

You, Mr Speaker, having been a distinguished hockey player in a previous incarnation, would recognize that it's good to have as many kids as possible who have ability participating. When you start excluding them because they cannot afford it, it's most unfortunate, particularly when we consider that to be our national sport—at least our national winter sport. Folks in St Catharines would say lacrosse is the national sport in the summer.

1640

The Red Tape Reduction Act expands the public guardian and trustee's ability to charge fees and expenses

for services rendered. The public guardian and trustee will have statutory authority to be reimbursed for expenses. This looks like another cash grab. You find these in all these bills. The Premier doesn't get up and make an announcement about them, no minister gets up to announce them, but you find it in legislation.

I heard another member mention something about the Condominium Act. Everybody is wondering when that's going to be implemented. I have people phone my office it seems once a week to ask when that is going to be proclaimed. Something is going on there. The government has waited so very long to do so. There are many provisions that affect housing. I know other members are going to be dealing with that.

I'm always concerned about the Ministry of the Environment. I see we have the Ministry of Natural Resources and the Ministry of Transportation. Driver's licence suspensions can now be sent by mail instead of registered mail. I'm a bit concerned about that because there should be an acknowledgement that it has reached the place. Even if you're charging the other person for that, I hate when a person doesn't know their licence has been suspended because it's gone astray in the mail.

Anyway, there's enough of this bill that I see that I can't support. I wish I could—I keep looking for bills to support in this Legislature—but it's got too many hostages in it.

The Speaker (Hon Gary Carr): Questions and comments?

Mr Marchese: I support the comments made by my learned friend from St Catharines. It is certainly in line with what we're thinking and worried about. The member for Nickel Belt talked a fair bit about that as well yesterday. My colleague from Niagara Centre raised similar concerns. They read, for the record, a similar type of correspondence.

The member for St Catharines quite appropriately says, "Who are you to believe?" If you listen to the government members, everything is OK, is rosy. According to the title of this bill, you, residents, don't have to worry because it's an act to reduce red tape and to promote good government. So you can all stay at home and cozy up and watch some good television and not worry about what's happening here. Yes, this document is thick, but, good God, don't you worry yourselves about what's going on in this place because they're looking after your little interests out there.

The member for St Catharines quotes Mr Neufeld, and I'll do that again just briefly. He says, "Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by the vineyard owners in places like Chile and Argentina," but not so much here.

By the way, no disrespect to Chile and Argentina. My partner is from Chile and I like Chilean wines. That's not the issue. The point is, like Mr Neufeld, we want to be able to not just respect our growers and our vineyards and wine growers and wine industry here, but we certainly have to promote them. According to him, this

bill doesn't do it. So hopefully we'll have some debate and give them an opportunity to put forth their reasoning.

Mr Wood: I would certainly congratulate the member for St Catharines on a very good speech. It does, however, raise a few questions which I'd like to put to him and invite him to answer in the two minutes he'll have in a few minutes.

Does he favour getting rid of the quotas for the grapes? That's in the bill and I'd be interested in knowing whether or not he agrees with that. If he doesn't favour it, perhaps he can share with us why he lacks confidence in our product. Does he think our grapes being produced here are not marketable?

The other question I'd like him to address, if he sees fit to do so, would be, does he agree with Ontario adopting, at a minimum, the national guidelines for labelling? That's the intention of the government and I'd be interested in knowing whether or not he agrees with that.

I would also like to comment, as well as put those questions. The member commented on the work of the Red Tape Commission. I'd like to remind the House that the Red Tape Commission is not anti-regulation at all. What we are for is good regulation. We in fact want to make this jurisdiction the best in the world for regulatory excellence, because if we do that, that's going to provide a lot better service for our citizens and our businesses and it's going to attract investment and jobs to Ontario. We have had remarkable success in the last five years in creating new jobs. One important reason for that is that investors had confidence that if they invested in Ontario, the government would understand their concerns and would respond to them. They have responded to that change for the better in attitude. I wanted to put that on the record again to remind all members of the House what we believe in and what we are trying to do.

Mr Duncan: I listened attentively to my colleague from St Catharines, as I always do, and I wanted to particularly comment on the points he made with respect to the wine industry, an industry that's so very important to his part of the province and indeed is very important to the part of the province from which I hail, Essex county.

His comments, I felt, brought to light the problems with these so-called red tape or omnibus bills, and that is the hostages in the bills, the things in the bills that are unpalatable, I would suggest even to those members from the Niagara Peninsula, Mr Hudak—

Mr Bradley: Bart Maves.

Mr Duncan: —Bart Maves, Mr Clark, that I'm astounded they could support these provisions in this bill.

But again, it's part of the treason, if you will, of dealing with legislation of this significance in this manner. It truly, in my view, does not reflect our traditions, our parliamentary heritage about omnibus bills and what should and shouldn't be in them.

My colleague is always on guard to find those hostages in the bill, and he reads them, unlike Mr Maves and unlike Mr Clark and unlike some of the other government members from the Niagara Peninsula, many of whom represent a large number of people who would be

affected by this. He's prepared to stand up and tell it like it is. He's to be applauded for that.

Like my colleague from St Catharines, I urge those members to stand up and defend the interests of the people who sent them here just a year ago. I know my colleague from Essex, Bruce Crozier, will be standing up against this, and I would urge the members opposite, Mr Maves in particular, to do the same thing.

Mr Maves: I actually relish the opportunity to follow the member from Windsor-St Clair, because his speech in the last two minutes shows his ignorance. Over the past three years, wineries and grape growers have been working together with the government of Ontario. In fact they've included the member from St Catharines in some of those discussions, and the member from Niagara Centre, the member from Niagara South and myself. We've been working diligently to find a solution to what happens when the Wine Content Act ends at the end of this year.

Part of the process has been a look at adopting new labelling standards. This is something the grape growers wanted for a very long time. They wanted wine that was to be labelled Ontario wine to be 100% Ontario grapes. That's going to be in effect and that's something grape growers have lobbied for for a very long time. They've also lobbied for the other national labelling standard of 75% domestic content in a bottle of wine labelled Canadian. That's in this act.

There are some other issues that have been talked about for three years. One of those happens to be called an issue of stretch, which is how much of a tonne of grapes is juice and how much is supplemented by water, and that issue has been dealt with. The last thing anyone could call this is stealth. In fact it's been a three-year struggle that all the members in the Niagara Peninsula have been involved in. So for any member to get up and say that because this Wine Content Act is being addressed in this bill is something that's done by stealth and comes out of the blue and no one knew anything about it, is folly in the extreme. I'm alarmed at that.

Am I 100% happy with everything that's going to happen with regard to the changes of the Wine Content Act? No, and I've worked very hard to get things added in for our grape growers that have been there, and we're going to continue to work on this when this bill goes to committee.

The Acting Speaker: Response?

Mr Bradley: When I become a minister, if that ever happens again, I will certainly be answering questions, at that time, but until such time as that, I'll have a response.

Mr Wood: That'll be years.

1650

Mr Bradley: It may be a long time; it may be a short time. One never knows. I'm never presumptuous. Unlike the Premier, who said in the House today he'd be here for another 40 years, I never presume that will be the case.

I want to say in regard to the Wine Content Act that indeed there are some real problems that farmers have with what has emerged. If you said this half a dozen years ago even, they might have accepted some of the

provisions that we see today, again, as still being in a transition period. They look now and say it's 12 years. We've gone 12 years since the free trade agreement and since the Wine Content Act was dealt with. They believe now that they are in a position to provide the kind of grapes that the wineries need, and they don't like seeing a lot of this wine or the concentrate coming in from elsewhere to blend in with their wine when they feel we produce the proper kind of grapes now. There may have been a time, and the farmers will concede this themselves, that they didn't always have the kind of grapes that the wineries needed.

I want to help those farmers out because I'm a person who believes strongly in the preservation of agricultural land. I also believe that if you preserve the land, you must preserve the farmers' economic viability as well. I want to see that happen. I don't want to see the Niagara Peninsula paved over. There are some people who will not be happy, I should say, until they've paved every last centimetre from Toronto to Fort Erie; then they'll think they've achieved the ultimate in paradise. I do not share that point of view. That's why I want to preserve that agricultural land; that's why I want to help the farmers out in this case.

I don't care what the others say; I'm confident that the three government members will be voting against this bill because they're not entirely satisfied.

The Speaker: Further debate?

Mr Duncan: On a point of order, Mr Speaker: I seek unanimous consent to revert to orders of the day, introduction of bills, for the sole purpose of allowing the Minister of Municipal Affairs to introduce a bill with respect to the Ottawa tragedy. It was promised more than two hours ago by the Premier of Ontario that we would have that bill today. I seek unanimous consent to allow the minister to introduce that bill.

The Speaker: Is there unanimous consent? I heard some noes. Further debate?

Mr Joseph Spina (Brampton Centre): Clearly, the members have other intentions in mind rather than speaking on this bill at this point.

I'm happy to be speaking on this. Our government was elected on a campaign in 1995 and 1999 to do a lot of things, and among those was to clean up the red tape in government both for business and industry and also for Joe Public.

A number of people have asked me why I ran for politics, and I'm sure my honourable colleagues will have—

Mr Dominic Agostino (Hamilton East): We're wondering all the time, Joe.

Mr Spina: Yes, the opposition asks me all the time. I certainly didn't come to this Legislature in order to suffer abuse from the opposition verbally, but I also count some of them among my friends and colleagues in this Legislature.

Mr John Gerretsen (Kingston and the Islands): Name them.

Mr Spina: Well, I could, you know: Mr Bartolucci for one. We enjoy a glass of wine once in a while. There are others. There are those who perhaps would run a risk of

being named. Mr Bartolucci may make that a point of privilege perhaps on Monday, but we'll leave that up to him.

Mr Smitherman: Have you taken up snowmobiling?

Mr Spina: No, I haven't.

But one of the things we have been trying to do was to make government more efficient, to lower taxes, to create a better economic climate so that jobs could be created. As we know from the announcements this past summer, we more than exceeded the job creation program that we had intended.

I think one of the things that allowed us to do that was the fact that we made it easier for businesses, not just the large ones but also the small business people, the young men and women who run the small independent businesses, businesses that I was very proud to work with not only as a small business owner starting my own company in 1981, but also as the parliamentary assistant for small business back in 1995 to 1997. We introduced the conversion of the old self-help offices to small business enterprise centres. I am very pleased that this program is moving along very well. A number of municipalities have become great partners with the province in these small business enterprise centres. I'm pleased that my own, which happened to be—on an analytical basis its self-help office was really the worst performing in this province. It wasn't so much the objective. The objective, when the NDP government introduced it, was admirable but the implementation didn't work. We modified that, made a better implementation tool and, as a result, the city of Brampton economic development department, as I indicated in a statement the other day, won a gold and platinum award for street-front economic development, using the small business enterprise centre, which cut out a lot of the red tape in helping these small business people get established and allow them the opportunity to grow.

I'm proud to say also that this morning on Breakfast Television the people who go out into the community to various events chose to be at the Brampton small business enterprise centre to highlight—

Mr Smitherman: I saw them.

Mr Spina: Thank you, George. That was great to know—to highlight how well these enterprise centres help small business.

We're very proud that this was achieved. This is a very strong, very clear indicator that if you remove some of the red tape, if you allow some of the mechanisms from both levels of government and the private sector to work together, you can go a long way toward actually helping business grow and small business thrive.

This year we have introduced the Red Tape Reduction Act, 2000, which builds on the previous bills that were passed by the government. This bill reflects our government's fight against unnecessary rules and regulations that put that burden on business and get in the way of providing better service to the public.

The red tape reduction bill was coordinated by the commission for introduction this past spring. It was really

marvellous to see that 16 ministries submitted over 250 items for this bill. The Ministry of Agriculture, Food and Rural Affairs submitted one statute for consideration; the Attorney General's office submitted fully 23 statutes for consideration; the Ministry of Consumer and Commercial Relations submitted 47 statutes for consideration; the Ministry of Education had one statute; the Ministry of Energy, Science and Technology submitted 13 statutes; the Ministry of the Environment submitted six statutes; the Ministry of Finance, one; the Ministry of Health and Long-Term Care submitted 10 statutes for consideration; the Ministry of Labour submitted 25 statutes for consideration; the Management Board Secretariat, three; the Ministry of Municipal Affairs and Housing submitted 28 statutes for consideration; the Ministry of Natural Resources fully 54, some of which we've seen surface here in the bill; the Ministry of Northern Development and Mines submitted 14, mostly to do I think with the mining sector; the Ministry of Training, Colleges and Universities submitted two; and the Ministry of Transportation submitted four statutes for consideration for cabinet approval.

There were also a number of statutes that were amended. There are 61 statutes that would be amended as a result of this bill. Two are going to be repealed. These are the Hunter Damage Compensation Act and the Ontario Training and Adjustment Board Act.

There's one single new statute that is being created, and that is the Environmental Review Tribunal Act. I think all of us fairly well agree that is a good addition. I think it gives credence to what my colleague from London said, that the intention of the bill is not just to eliminate regulations willy-nilly but in fact to make sure that a number of the issues come forward; where it's important to create a statute, we will bring it forward, and in this case it was an environmental review one. There were 15 ministries fully involved in this. As I said, the bill is intended to look at various facets of how government regulations and legislation can be better serving the client, which is our taxpayer.

1700

We've broken the themes and highlights down into some categories. The first one is what we would classify perhaps as improving customer service. Under that comes the amendment to the Mining Act proposed by the Ministry of Northern Development and Mines. This amendment gives the minister the authority to approve a refund due to an administrative or rounding error, and the approval of the Lieutenant Governor in Council will no longer be required. You wonder why we had that to begin with. What it means, of course, is that there can be a faster processing of refunds with something as small as an administrative or a rounding error. The reality is that it gets the money back into the hands of the people in the mining industry.

There are three statutes in this that are being addressed under what we would maybe classify as just good government and common sense issues. Under the Ministry of the Environment, we indicated the creation of an act, the

Environmental Review Tribunal Act. It consolidates the operation of the Environmental Assessment Board and the Environmental Appeal Board, as recommended by the Wood commission. This consolidation helps to eliminate the administrative overlap and duplication from two separate tribunals.

Secondly, under the Ministry of Natural Resources, some changes to the Conservation Land Act. The Ministry of Natural Resources is facilitating the conservation of Canada's natural heritage by expanding a mechanism by which US residents can make gifts of land in Ontario while both deriving the associated tax benefits against their US income and avoiding the disincentive of incurring capital gains tax here in Canada, obviously encouraging their investment in the province of Ontario.

The Health Insurance Act: The Ministry of Health and Long-Term Care is cleaning up its legislative framework by removing references to "health insurance premiums," which of course have not existed since the creation of the employer health tax back in 1988 or 1989. Unfortunately, that was one of those Liberal taxes which I remember, as president of the Brampton Board of Trade in that era, mounting a massive letter-writing and lobbying campaign against the Liberal government of the day against the employer health tax. We felt, as I still do today, that we should all share in one way, shape or another in the delivery of health care. The small amount we paid in terms of a premium, which was in those days somewhere around \$25 to maybe \$50 to \$100 a month, depending on your income level, was a small enough amount of money that gave the taxpayers some ownership in paying for the health insurance system. I think it made us conscious of the fact that we were paying for health care a little bit. The government and the rest of the tax dollars, of course, were paying the bulk of it. But it gave us that sense of ownership and responsibility, I think, not to abuse something to which we contributed.

The question at the time that I know many people were concerned about was, "What if you don't have sufficient income to pay or make the old OHIP contribution?" I was in the position for a while of not being able to pay my OHIP premium. Why? Because I was a student in university and of course I was above the age to be covered by the family. I was very appreciative that the government recognized the fact that lower-income people, in particular students in university, were exempted, and yet we still had our full health care coverage. It was a system that worked, and I think it was a system that we all shared a bit of responsibility to. Unfortunately, I think the creation of the employer health tax, which exempted everyone on a personal basis from paying into the health care system, led to far wider-spread abuse of the system, because when the perception is that it's free, then people tend to abuse that particular benefit. That's not something that I think any of us want to see, particularly with our health care system.

There is another category, which I would describe as responding to the needs of Ontarians. Under the Attorney General's ministry, the Execution Act increases the

amount of a debtors' assets that are exempt from seizure in order to allow them to retain a subsistence living and not be thrown on to welfare. The value of the exemptions is now less than 20% of what they were when the act was passed in 1965. This hasn't changed in 35 years.

Trustees in bankruptcy are required now to seize from bankrupts everything that the Execution Act allows to be seized on a judgment, and as a result, judgment debtors and bankrupts have been forced into social assistance, despite the policy of the statute to allow them enough to support themselves. Now it defines it very clearly.

From the Ministry of Natural Resources—the Ministry of Finance is amending the Insurance Act to permit viatical settlement companies to operate in Ontario. Regulation-making power will be provided to define these viatical settlement companies and set out appropriate consumer protection measures. So it's not just the elimination, the modification of the regulations, but it's also ensuring that we have implemented appropriate consumer protection measures. This change will ensure that terminally ill people have the opportunity to access their insurance resources to assist them in their time of need.

We know, all of us, personally, someone who lost their job or has been severely incapacitated as a result of injury, and they really are left with no other resources. But when they were in a position to pay into a good insurance plan, they did so. When they were fully employed, whether it was as a truck driver or as an assembly line worker or as a management person, in any environment, they all took that opportunity to buy insurance. When you have a substantial investment in a policy, we wanted to make it easier for people to be able to access that.

I mentioned the Ministry of Natural Resources; it was actually the Ministry of Finance, and I talked about the Insurance Act. But with respect to MNR, in the Niagara Escarpment Planning and Development Act, the ministry is enhancing the commission's ability to protect the escarpment by issuing stop work orders in cases where significant environmental damage is likely to be caused if unapproved development is allowed to continue.

Those are very key words, because we want to ensure that we protect the environment. We want to ensure that we protect that valuable natural asset called the escarpment and at the same time, particularly where you have unauthorized, unapproved work or development taking place, allow them to quickly move in and stop the process.

1710

Under the Consumer Reporting Act for the Ministry of Consumer and Commercial Relations, they're taking action to improve that act to prohibit credit repair companies from charging consumers large sums of money in advance to help them repair bad credit reports. This is tantamount to extortion. So the ministry will not allow payment of advance fees until the services are actually provided and will prevent companies from using false advertising that they can "clean bad credit." This was an unbelievable amount of extortion that was essentially

sanctioned by legislation. I don't see that any member of this Legislature, regardless of our party stripe, would object to that kind of change to this bill.

The last item I'll speak to, and it would fall into the category of, "The government delivers on its promises," is the Administration of Justice Act and the Provincial Offences Act. The commitment we made has now been delivered once this bill is finalized and through, and that is the implementation of the government's local service realignment initiative. The Attorney General facilitates the implementation of the government's local services initiative. The ministry is clarifying that Ontario municipalities are entitled to retain the revenues from Provincial Offences Act fines and that the municipalities can enter into agreements with each other in order to further streamline the administration of provincial offences. The municipalities became partners as part of the realignment of services, and they fully deserve to have a share of the revenue.

These are just some of the elements of this bill, which I think meets not only our commitment but our philosophy of governing for the betterment of the people of this province.

The Speaker: Questions and comments?

Mr Duncan: I want to thank the member for his comments and address a number of the issues that I believe the member alluded to and spoke to directly.

First of all, the nature of the bill itself: I would have enjoyed hearing the member's views on whether he feels we should be dealing with 75 different statutes in the same bill; whether we should be dealing with major changes, quite frankly, to the Tenant Protection Act inside a bill that is ostensibly an omnibus bill, a bill that by the government's definition is designed to eliminate or reduce red tape, when in fact there are a range of major statutory changes on that.

I would have appreciated hearing his views on the wine question that has been raised by my colleagues from St Catharines and Essex county, given the fact that indeed the government has raised the issue.

I would have enjoyed his comments on whether or not he feels the increase in the amount of compensation a victim of crime can get in the course of his or her lifetime has been raised high enough. The government, in introducing this bill, correctly pointed out that it was the Liberals who raised it last time, back in 1986. A very simple calculation using the consumer price index reveals that in fact the government hasn't even allowed compensation for victims of crime to keep up with inflation, which I would have thought this government, which speaks frequently about victims of crime and crime and punishment, would have done. They didn't even want to do that, just like they didn't want to break the deal with Karla Homolka, while they criticize the federal Liberals.

I regret that I didn't hear the member's views on those kinds of issues.

Mr Marchese: I've got some questions for Mr Spina, the member for Brampton Centre, that I hope he might find time to answer; I'm not sure. The Minister of Hous-

ing answered the question, but it wasn't the question I was asking, I think. I might ask it again to see if it resonates with you, because I think you mentioned the housing tribunal. I'm not sure.

The red tape bill allows the tribunal to designate employees as default order officers as a way of, presumably, speeding up evictions. It means that the tribunal officers, who are the ones who normally issue these default orders, can now designate regular employees—bureaucrats, some people would say; I think that's too derogatory, but just ordinary working people there—to become like tribunal members and be able to issue those default orders.

You might know, member for Brampton Centre, that the Centre for Equality Rights in Accommodation did a pilot project last winter in which they contacted tenants who were facing evictions. It was done in co-operation with the tribunal as well, so it isn't something that was done independent of it. Their study reveals that one third of the tenants had not received the eviction notice from their landlord, and one third of those who had received it did not understand that they had five days to respond to the application in writing. So in my view, it's already a problem. What you're doing through this red tape bill is permitting more of these employees to become like tribunal members, to be able to issue these orders. I am concerned. It's a fact.

OK, you may not want to answer that one; maybe you want to answer this. Changes to the Theatres Act would allow changes in film classifications to be done by regulation instead of through amendments to the act. This could, in the worst scenario, be used to bring back censorship in a serious way without any public debate. I think that's a concern. What do you think?

The Speaker: Further questions and comments?

Mr Wood: Mr Speaker, I wonder if I might first pay public tribute to the work of the member for Brampton Centre on the Red Tape Commission. He brings wisdom, he brings experience, and most importantly, he brings an openness to new ideas. To the extent that we're accomplishing some things, it's to a considerable extent because of his work.

I'd have to say, however, that I thought he spoke today to considerable disadvantage, because he doesn't have the benefit of where the Liberal Party stands on a few key issues.

The member for St Catharines a few minutes ago had an opportunity to tell us where they stand on the issue of grape quotas. Where does the Liberal Party stand on the issue of quotas? Do they agree with quotas or don't they? They haven't seen fit to share that with us yet. I hope they will. Maybe they haven't decided yet; I don't know. There's nothing wrong with saying you don't know if you don't know, but I do feel the member was at a considerable disadvantage in not having the benefit of where the Liberal Party stands on quotas.

We also don't have the benefit of where the Liberal Party stands on the question of the national guidelines. Do they think it's a good idea to have those as our

minimum labelling guidelines in Ontario? It's a fairly simple question. It's a question that's been around for a while, and I'm sorry that the member for St Catharines didn't see fit to share with us what their position is. Now, it may be they have no position. Maybe they're fighting with each other; I don't know. We know that's a long tradition, so maybe that's why they didn't tell us. But the fact of the matter is, the member for Brampton Centre was at a very considerable disadvantage in not knowing where the Liberals stand.

I hope that before this debate is over we will have answers to the questions that were posed and we can then share with the public of this province whether or not the opposition has a good, sensible, coherent policy on this matter. We haven't heard one yet, but it may well be we will.

Mr Agostino: When the member from Brampton spoke, I was waiting for him to tell us about the work that my colleague Dwight Duncan, the member from Windsor, had done to force the government to move on the compensation for victims of crime bill. We've raised it time after time, and six, seven, eight months later, after his constituent lost his vehicle, was on the verge of losing his home, was on the verge of losing everything he had because of this government's and the Attorney General's inaction, he comes through with a bill. It was something the Attorney General could have done six or seven months ago when my colleague raised it, and it would have saved this individual a great deal of grief.

I would have thought the member from Brampton would have cut some of the red tape this government brought in when they changed the Family Responsibility Office five years ago, a system that was working fairly well in this province, where this government, under the previous Attorney General and then that poor tradition carried on by the current Attorney General, basically has caused a living hell for women who are trying to deal with the FRO.

1720

Clearly you now have this bureaucracy you got into. With their 1-800 number you wait for hours and hours—it used to be 1-800; it's not even a 1-800 number any more. The MPPs' offices cannot even deal with the FRO. I would have thought the member from Brampton would have addressed that and maybe would have told us the government was going to bring something forward.

While he was on his feet, I would have thought he would have assured us that the commitment made this afternoon by the Premier would have dealt with the Ottawa shooting that our leader, Dalton McGuinty, brought up.

The Premier committed it to be available at the end of the day. Let me remind you, Mr Speaker, we have 35 minutes left until the end of this day and the Premier made that clear commitment. I would have thought the member from Brampton would have assured us that the Premier or the Minister of Municipal Affairs would walk in before the end of today with this bill.

We have not seen it yet. This bill was supposed to be ready at 3 o'clock, as the Premier told us. We have 35 minutes. I hope to God that the Premier of Ontario today was honest and accurate when he said that that piece of legislation, which my leader forced him to bring in, will be in place by 6 o'clock tonight.

The Speaker: Response?

Mr Spina: Thanks to the members from Windsor-St Clair, Trinity-Spadina, London West and Hamilton East.

The member from Hamilton East didn't directly address my comments. He certainly was on about a number of other things, but that's the way he likes to do things. He's not in our caucus anyway.

Mr Agostino: Thank God. Believe me, I would never, ever be there.

Mr Spina: That's fine. Never mind, we won't go down that way.

Mr Duncan: On a point of order, Mr Speaker: Is there a quorum in the House right now? I notice there are one, two, three, four, five Liberals and—

The Speaker: Check for a quorum.

Clerk Assistant: A quorum is not present.

The Speaker: Call in the members.

The Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Speaker: The member for Brampton Centre.

Mr Spina: I want to thank all the members for their wonderful input. I'm sure the opportunity will arise when it goes to committee.

Mr Gerretsen: I'm very pleased to join this debate today. As has already been mentioned by a number of previous speakers, this is a huge piece of legislation. All one has to do is look at the thickness of the bill we've got in front of us. It goes on for something like 120 pages. It deals with 75 different acts. It's got about 20 different schedules in there.

I can remember a time about four years ago when on Bill 26, you may recall, there was a great commotion in the House about this kind of thing. The media took great interest in it.

Mr Duncan: The bully bill.

Mr Gerretsen: It was the bully bill, that's right, and the outcome of that particular bill affected an awful lot of people. I'm not sure whether we've become, and I mean collectively, so, I don't know, sanitized about these large bills—

Mr Duncan: Desensitized.

Mr Gerretsen: Desensitized, thank you very much—that we almost accept this kind of thing. Certainly there isn't a large public outcry that this kind of bill shouldn't pass. At the same time, it deals with a lot of different topics.

We've already heard a brilliant exposé today from the member for St Catharines dealing with how this bill affects the grape growers in the Niagara area and how they don't like this bill.

We've heard some comments with respect to the Mining Act. We've heard comments with respect to the changes to the rental protection legislation, or the non-

protection of tenants out there. We've heard changes mentioned relating to the Attorney General's department. We've heard of changes that are going to be brought in with respect to the Public Guardian and Trustee Act. There many changes with respect to consumer and commercial relations, in probably about 25 different acts within that area. One can just go on and on.

The first point I clearly want to make is that I, as one individual member of this House, find it totally unacceptable that a bill that deals with so many different aspects of our day-to-day life should be brought into this House and be dealt with in one piece of legislation. It's not the right way for a government to deal with matters. And then to label it a red tape reduction bill—as one of the government members stated earlier, this doesn't deal with the reduction of red tape, it just changes some of the red tape. What they have simply done in this bill is modified some of the rules and regulations in some of the departments, in some of the ministries, to other rules and regulations. There has been very little of the reduction of red tape that they like to talk about so much.

As a matter of fact, one of the speakers today made the comment that there are only two acts that no longer have any relevance to our 21st century life here in Ontario that have been deleted; and as he indicated, one new act is being created by this bill.

The point I'm simply trying to make is that to call it a red tape reduction bill is totally erroneous, is fallacious. You're changing some of the rules and regulations to bring them within new ministry terminology. That's all you're doing with respect to a lot of the bill. So don't call it red tape reduction. As a matter of fact, if you talk to a lot of the small business people in Ontario, they will tell you that the red tape that they deal with on a day-to-day basis in their small businesses hasn't changed one iota over the last four to five years. So I guess if you spin something long enough, even though nobody else out there may believe it, the government members start to believe it. But I would like the people of Ontario to know that this is not a red tape reduction bill. It just changes some of the rules and regulations to bring them in line with the newer acts that have been proclaimed from time to time.

Let me be perfectly clear: there are some good things in this bill.

Mr Bradley: Where?

Mr Gerretsen: I'll tell you where. They took our colleague David Caplan's idea in the rental protection act he brought forward by way of a private member's bill some time ago. I can't remember whether it was last year or the year before. It basically states that if an eviction notice is taken out against an individual, if it hasn't been served by a sheriff's officer within six months after having been taken out, it can no longer be used to evict that individual. He brought that forward in a private member's bill some time ago because quite often, in a lot of situations, the landlord simply didn't execute on the eviction notice and almost used it as a hammer over a tenant's head, that if the tenant didn't co-operate they

were going to serve the eviction notice. I remember the case that he referred to. It was still used by a landlord some year and a half, two years later, when obviously whatever the eviction notice was originally provided for had long since passed, the reason for it had long since passed. So quite rightly that eviction notice should not be used on tenants, who may have had some difficulty at one point in time, some year or year and a half later, when obviously the tenant was back to paying the rent on time and things like that.

1730

The point I'm trying to make is that we agree with that particular amendment. We thought that the Caplan private member's bill was the right idea, that these eviction notices should not be used as sledgehammers over people's heads. When you look at the rest of the landlord and tenant legislation, what it does is limit the rights of tenants even more and more. I think the tenants out there realize that in many cases the new legislation, which has now been in effect in the province for, I suppose, a year or two years, is starting to affect them. Yes, there is some protection when they remain in the units they're currently living in, but once they move, the rent control legislation does not apply to that unit any more and there's absolutely no protection for the tenants when they move somewhere else.

The other changes that have been made in this particular bill are a lot more draconian. They are not very helpful to the individuals who may be involved with this in one way or another. Let me give you another example, and that deals with the Ministry of the Attorney General. There's a section in here that states that the Public Guardian and Trustee Act will be amended, as a result of this omnibus bill, so that the public guardian and trustee's office can charge and deduct fees and expenses. It provides regulatory powers with respect to the accountant of the Superior Court of Justice. What that means is they could start charging for all sorts of things. If there's one thing that the people of Ontario have realized over the last four to five years, it's that this government is all in favour of user fees, and new user fees.

Let me give you one example. I have a letter here from a law firm in Kingston that is acting on behalf of the estate, the heirs, of someone who died very tragically in a car accident. This was a letter addressed not only to myself but also to Mr Galt, the member for Northumberland, as you know. I believe the reason he was requested to be involved in this as well is because the accident happened in his riding.

This law firm, in order to represent these people properly and correctly, needs the technical traffic investigation report in order to pursue this particular situation. I'm not familiar with this law firm. You would think I would know every law firm in Kingston, but I don't know who these people are. I know they're located in the building in which my constituency office is located, but I'm not familiar with them at all; I don't know anybody in this firm. They were told that in order

to get this technical investigation report, they would have to pay the OPP a fee of \$535. As the lawyer states in his letter, which is addressed to the Ontario Provincial Police, "Thank you kindly for your September 18, 2000, letter indicating that the technical traffic investigation report will cost \$535. As you can imagine we must justify whatever expense we make in support of our client's claims. We would ask that you kindly assist us in explaining this expense to our client by pointing out the statutory or regulatory provision permitting the government to charge such a very large sum for this document. You kind assistance is appreciated."

It's my understanding that this is a report that exists in fact and all that's required is that a copy be made of this particular report, to which this firm is entitled, on behalf of its clients, in order to pursue that case. I cannot for the life of me think how photocopying a report that exists, that doesn't have to be created from material that the police already have in their possession, would cost \$535. That, to my way of thinking, is gouging the public. In effect, in some cases, it may very well deny the individuals involved the kind of justice that I think we all want for one another. I've written a letter to the Attorney General on this, as a matter of fact, because I would like him to take a look at this as well, not only on behalf of these people, but to take a look at that regulation in general, because I don't think anyone who has gone through the traumatic event of losing a loved one in a traffic accident should be put to this kind of an expense in order to further their legitimate claims against another individual or organization.

The point I'm trying to make is simply, what do we know about the fees and expenses that the public guardian and trustee's office will now charge the people they're involved with on an ongoing basis? We all know that this is only the tip of the iceberg. Maybe people have become so desensitized about this situation in Ontario that user fees are now almost an accepted thing. But I would suggest to you that user fees in a lot of situations are in effect a denial of natural justice to people. We've seen it in this particular case and we may very well see it as well in the fees that the public guardian and trustee's office will now be able to charge as a result of the changes that are being proposed in this bill.

Let me go on. There are so many other changes that are contemplated in this bill that you wonder why, for example—and I see that the Minister of Municipal Affairs is here in the House right now. It may very well be that the Premier will keep to his promise and we will have that bill. They've been scrambling all afternoon to try to get that bill into the House. I'm sure that when the Premier says something in the House, when he says during question period that we will have a bill dealing with the tragic circumstances and the pension payout situations with respect to the people who died in the OC Transpo situation very tragically about two years ago, those four individuals who were involved, when the Premier says that it's going to happen today before 6 o'clock and when the opposition parties gave unanimous

consent that we will co-operate in whichever way we can to make sure that bill passes before 6 o'clock, surely that would happen.

I am so very pleased to know that my leader, Dalton McGuinty, the next Premier of this province—three years from now he will be the Premier of this province, I'm absolutely convinced—raised that issue, and he was told yesterday by the Attorney General, "I'm sorry; we can't do anything. The transition board in Ottawa has decided that they aren't going to honour the legitimate arrangements that were made by the council" with respect to the families of those four individuals who died so tragically in Ottawa two or three years ago. But when the Premier came in and said it was going to be done today, I can only assume that the pressure that must have come as a result of the comments and the questioning that was made by Dalton McGuinty yesterday—

Interjection.

Mr Gerretsen: I have no idea how much Claude Bennett was being paid. I'm sure he's being paid something.

In any event, I'm glad that my leader, Dalton McGuinty, raised that issue and put enough pressure on this government to actually make it change its mind. It was very encouraging to see today during question period that the Premier gave a straightforward answer. If I'm not mistaken, that is the first straightforward answer he has given in the last five years in this House. And what happened? People on all sides of the House immediately applauded the Premier and said, "You're doing the right thing. You're following the lead of the Leader of the Opposition; you're following what he's saying."

I would suggest to the government ministers who are in the House right now that when you have your cabinet meeting next Wednesday, you suggest—

Mr Bradley: They cancelled that one.

Mr Gerretsen: Yes, they did cancel that one. I wonder why. Anyway, whenever you have your next meeting of cabinet, suggest to the Premier again, "Give the opposition a straight answer and they will applaud again."

The Minister of Correctional Services is in the House this afternoon. I was somewhat surprised that an individual who is from my hometown in Kingston, where we have seven federal penitentiaries, by the way, would be set up for the kind of question and answer that he gave this afternoon with respect to the conditions in the federal penitentiaries. I would suggest to him that if he really thinks that all federal penitentiaries are country club kind of settings, he should visit Kingston Penitentiary, for example, or he should go out to Collins Bay Penitentiary or Joyceville Penitentiary to see what a real federal penitentiary is like. He knows better than that.

1740

It's interesting that the Toronto Sun, which after all is the mouthpiece of this government, in a headline not so long ago stated that the Tories stand by the Karla Homolka deal. Can you imagine that? That's what it says in the headline. This isn't a trick headline; they really

said that. With everything we've heard about that and the kind of answers he gave today to the member from Guelph, I was shocked. I was shocked by it because I respect that minister, and I know that he knows better. I take it that it was just done for effect more than anything else.

In any event, let me just say that this particular act has way too many different topics in it. Each one of these topics deserves a full deliberation and consideration itself. The reason I'm saying that is that if you look at the explanatory notes, you will be surprised at how often it states in here that changes have to be made to certain acts that were passed in the last so-called red tape reduction bill.

In other words, after everything was done, and after having been warned by the opposition on numerous occasions that the kind of changes that were being contemplated were going way overboard, they wouldn't work, the government is now realizing, "Yes, I guess we did go a little too far here. We didn't quite get this right. We do have to make a change here." What I would suggest to all those members who are nodding their heads "no" on the other side is to go through the explanatory notes, go through the sections, and you will find out how many changes you have made to the last red tape reduction bill—which always reminds me of probably the best incident that I can think of, of how we had—what?—seven different property tax bills at one time.

Interjection: Eight

Mr Gerretsen: Eight different property tax bills. The Minister of Finance, a man who prides himself on competence, certainly wasn't very competent in that case, when he had to come up with eight different bills changing a previous bill, and I understand there's another one coming up. So I say to the government, as my time is rapidly coming to a close, why don't you do the right thing? Why don't you split this bill off in about 20 smaller bills so that we can deal with each one of these areas and give it the due consideration it deserves? The people of Ontario demand that of this government.

The Speaker: Questions and comments.

Mr Marchese: I certainly agree with some of the criticism that has been levied against the government by the member for Kingston and the Islands, and disagree with some, particularly the one where he makes the pronouncement or at least a prognostication of the fact that Mr McGuinty is going to be the next Premier. Now, I say to myself, since when has he achieved this state of semi-divinity that he could foretell the future so clearly and so well? At least with that statement, I'm in disagreement, because the electorate is so fickle they could elect the NDP again. I mean, who knows? No one expected us to get elected in 1990, but we did. I certainly didn't foretell it, and wouldn't dare to presume to foretell, because I haven't achieved that state of semi-divinity myself.

Interjection.

Mr Marchese: But you don't know, Dominic. Dominic Agostino says, "It won't happen again, so don't

worry." But how does he know? What, has he become God all of a sudden?

Interjection: You might become leader.

Mr Marchese: Well, there you go, I might be the leader of the New Democratic Party, you're quite right—I don't know that. But with respect to this bill, it's a big bill. The member from Niagara Falls said, "It doesn't take long, really, to read this bill," as a criticism to one of the opposition members. Yes, it does. What does he think we do, sit at a desk and just read the bills that come to our desks all day long and that we have no committee work to do in the afternoons, that we have nothing else to do and that it's so easy to read that we shouldn't have any problems?

The point is that there might be some good things contained in this bill, but overall it's a problem. The purpose of an omnibus bill is to bury a whole lot of stuff that nobody can get to, especially the media, especially the opposition, or anybody else for that matter.

Mr Gill: It is a pleasure to take part in the debate this afternoon and comment on some of the comments that the members for Kingston and the Islands and Trinity-Spadina have made.

It is a strange—I shouldn't say it's a strange thing. A lot of members, as you've seen, especially from the opposite side, get swayed and they are out in left field somewhere. They are never on a point. The point is, we are discussing Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts.

The member for London West, a good MPP, Bob Wood, and former member Frank Sheehan did extensive consultations about red tape reduction, and I want to thank them.

The member from Kingston said that it's a huge bill; it's 120 pages long. He doesn't realize that half of that is, of course, French.

The member for St Catharines said that it's an omnibus bill. Over the last few times we've sat here, every bill that comes out they say is an omnibus bill. "It's too much." "The government is trying to do too much." "They're going too fast." To create 748,000 jobs in five short years, it takes a lot of guts, it takes a lot of hard work to do that. They said it couldn't be done. They said it was voodoo economics. The economists said it couldn't be done. But lo and behold, it has been done, and the people of Ontario are benefiting.

The way to have good government, efficient government, is to make sure there is less red tape. I am happy to support this bill.

Mr Duncan: I am pleased to respond to my colleague from Kingston and the Islands, who I felt shed a lot of light on the bill. I wanted to comment to him specifically, because I know he had to address the heckling of the Minister of Correctional Services, who was talking today about the Liberal record on crime and punishment. I will remind the minister that this is a government that has

allowed the deal with Karla Homolka to stay put. You owe us and the people of this province an apology. You had a chance to stop it and you didn't. We have the government House leader across the way, along with the Minister of Municipal Affairs, sitting on pins and needles with a bill that has taken four hours to draft. Here they are, flip-flop from yesterday. The Attorney General ought to be embarrassed by what he said yesterday.

What did they do? Yesterday they weren't going to compensate the victims of crime. Today, because of my leader, Dalton McGuinty, they are going to introduce that bill and finally put to rest the decision of Claude Bennett and the group in Ottawa that was appointed by this government that took an award that was agreed to by that community. So the minister of corrections really ought to get his facts straight and understand those sorts of things.

My colleague from Kingston came back to the essential point of this bill. It's an omnibus bill that deals with major pieces of legislation that should have been stand-alone. Perhaps members from the Niagara area on the Tory side will vote against the grape growers in their area, but my colleague Jim Bradley and my colleague Bruce Crozier would never do such a thing to their constituents. So those members ought to be thinking long and hard about what they're doing as well.

I'm going to yield the floor in the hope now that the government will introduce the bill we've been waiting for all afternoon, so we can pass it and make sure that those victims of that terrible crime in Ottawa and their families—their families who are left behind—get their due compensation.

The Speaker: Further questions and comments?
1750

Mr Wood: I would like to compliment the member for Kingston and the Islands on raising a number of issues that I thought were worth looking at. I think his comments with respect to the fee that he referred to in his speech were comments that were worth pursuing. I would invite him and all members, where a red tape problem arises, to feel free to invite that person to make a complaint to the Red Tape Commission. If we deem it to be red tape within our definition, we'll indeed deal with the civil servants in that ministry. If that doesn't work, we'll deal with the minister's office. If that doesn't work, we will seek advice from the Premier of the province to try and get the problem solved.

I also note that the member referred to the fact that we make changes and then improve upon these changes in the various 14 red tape bills we've presented. That of course is an entirely fair comment, but I have to observe that it contrasts very well with the zero red tape bills that were brought in by the Liberals from 1985 to 1990. I don't apologize for making improvements because I think that's important and I think our record contrasts favourably with that of the Liberals.

The last comment I would like to make on his speech is this: I was disappointed that he didn't take up the invitation I gave to the member for St Catharines to tell us where the Liberals stand on the issue of grape quotas.

I hope he will take that invitation in the two minutes that he's going to get and tell us where they stand on that issue. I also hope he'll tell us where the Liberals stand on whether or not national guidelines should be the minimum for labelling in Ontario. Please tell us where the Liberals stand on that issue.

The Speaker: Response?

Mr Gerretsen: I understand that the Minister of Municipal Affairs is about to introduce a bill, so I will be very short and sweet.

I will take you up on your offer. I will communicate with the Red Tape Commission and see what can be done about that exorbitant fee. I regard it as a very positive move to say something positive like that in the House here, sir. I commend you for that.

Having said that, however, let there be no doubt about the fact that the amount of regulation and red tape hasn't been reduced by this bill. Take one very quick look at the bill and you'll find out that it contains just as much red tape, perhaps different red tape, than previous pieces of legislation.

With that, I will yield the floor to the minister or whoever else wants the floor in order to get that Ottawa bill passed immediately.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I seek unanimous consent to revert to introduction of bills to allow the Minister of Municipal Affairs and Housing to introduce the OC Transpo compensation bill, that we immediately allow this bill to be considered for all three readings, that notwithstanding the undertaking of that business and given that there's only a few minutes left before adjournment this afternoon, that the debate on Bill 119 will be considered a full sessional day of debate, and that we extend this afternoon's sitting past 6 pm until this matter is completed.

The Speaker: Is there unanimous agreement? Agreed.

INTRODUCTION OF BILLS

OC TRANSPO PAYMENTS ACT, 2000 LOI DE 2000 SUR DES PAIEMENTS CONCERNANT OC TRANSPO

Mr Clement moved first reading of the following bill:

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Hon Tony Clement (Minister of Municipal Affairs and Housing): As the Premier promised the members earlier today, I'm introducing legislation at this time to make good on the region of Ottawa-Carleton's desire to help victims of the OC Transpo tragedy.

As you know, the municipality wanted to give each of the four families \$100,000. The transition board, legally and technically, we believe, acted within its authority, and I believe the board had the best of intentions when it made its decision.

Several candidates for mayor of the new city of Ottawa have said they will revisit this decision of the transition board. We don't think it makes sense to make the families suffer any more than they already have. You are also aware, Mr Speaker, that this government is committed to support victims of crime.

Today's legislation authorizes the region's original decision and allows the municipality to flow the money. We all know that the incidents in Ottawa were tragic and had terrible consequences, and of course no amount of money can adequately make up for the lifelong pain that victims of violent crime and their families suffer. We should, however, do what we can. I trust that we can all agree to pass this legislation quickly.

OC TRANSPO PAYMENTS ACT, 2000

LOI DE 2000 SUR DES PAIEMENTS CONCERNANT OC TRANSPO

Mr Clement moved second reading of the following bill:

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

The Speaker (Hon Gary Carr): Minister?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I have no further comment.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I appreciate the lateness of the hour and I don't intend to prolong the debate, except to say a few things. First and foremost, I and all of my colleagues in the Liberal Party support the bill just introduced by the Minister of Municipal Affairs.

Let me just say a few things. I was in my home county last week and I was absolutely stunned to hear that an old colleague of mine, Claude Bennett, a man who I had served with for years, who has been a very seasoned politician both municipally and provincially—I almost drove off the road when I heard that Claude Bennett, who quite frankly has plenipotentiary powers under the transitional legislation that this Legislature has given him, and I guess it's Lund up in Sudbury and others, extraordinary powers that were commented upon when the bill was before the House—I am not a lawyer and I haven't had time to look at the details of the legislation, but it certainly is my memory of the powers given to the transitional team that they were given powers that I was deeply troubled by. It was a suspension of local government in many respects. We've put those communities like Ottawa-Carleton and Sudbury and Hamilton-Wentworth basically under trusteeship.

I'm not here to recycle all of that debate, but that someone of Claude Bennett's experience and political sensitivity would have made the decision he made, alone or with that board, I found deeply troubling. I've got to tell you that just about everybody I spoke to in the Ottawa Valley, to say nothing of the national capital area—I mean, the idea. We were told by Mr Bennett that this would be a precedent, that it was a gratuitous payment, as though public servants are murdered routinely in Ottawa or elsewhere in the province. It's absolute poppycock.

I understand absolutely the desire of any public official, particularly in these days, to be careful and prudent about the expenditure of public monies, but I want to say here once again what happened a year and a half ago: a number of innocent, hardworking people associated with the public transit authority in Ottawa-Carleton were just terribly murdered that afternoon, whenever it was, 18 months ago. I can't remember, and I'm 49 years of age, a circumstance anything like that in Ottawa or elsewhere in the province in my lifetime. This was an extraordinarily and deeply troubling event, hopefully a very isolated and very exceptional circumstance. In my view, nobody would have known or ought to have known that more than Claude Bennett, who for years served on Ottawa city council and served in here for a decade and a half, most of it as a senior cabinet minister.

1800

The idea that those families and the people of Ottawa-Carleton were told, "We can't approve this," notwithstanding that it was the desire of the local government, well and clearly supported by just about everybody in the community that I heard of, that the transitional board said, "We can't approve this because it's a gratuitous payment," because it would set a precedent, was an absolute outrage on those victims and their families.

I applaud the Premier and his Minister of Municipal Affairs today for correcting the outrage of last week, but in unanimously endorsing this bill tonight, I hope there's not a self-respecting member of this Legislature who does not want to condemn the incredibly insensitive decision-making and thought-developing process that was engaged in by that transition committee last week. I say to my old colleague and friend Claude Bennett: shame on you.

The Speaker: Further debate?

Mr Rosario Marchese (Trinity-Spadina): Very briefly, Speaker. I endorse the comments that have been made by the member for Renfrew-Nipissing-Pembroke and the strong sentiments he has expressed.

I would say that I, on behalf of our party, support the bill that has been presented today and briefly add that I congratulate the leader of the Liberal Party for having raised this issue a couple of days ago and congratulate the Premier for having acted speedily to remedy a wrong. This is a very timely thing that we're doing, and I, on behalf of the entire party, support this bill wholeheartedly.

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader):

As a member for the Ottawa area, I'd like to speak on behalf of Mr Baird, Mr Guzzo and Mr Coburn in our support for the Premier in dealing with this issue, along with the Minister of Municipal Affairs and Housing, in such an expeditious manner.

When these four men were killed on their job, the Ottawa community and eastern Ontario—I guess all Ontario, of course—was in shock. But this was brought more to light for me in a personal sense because one of those individuals lived in Carleton Place, which is in the county of Lanark and which I now represent. I also was present at the memorial service at the Corel Centre, when 5,000 or 6,000 people, along with the families and friends of these four men, attended together to grieve the lives of these four men. Having gone through that experience, and still remembering the music and watching the children and the families of these four men, who were hard-working citizens who never expected this kind of tragedy in their lives, I'm so happy today that we as a Legislature have been able to work together to remedy and to address just a little bit of their sorrows and their needs resulting from this tragedy.

I'm sorry this happened, that it was required for us to take this particular step, but I think the Premier and the Minister of Municipal Affairs and the members opposite can all be proud today in the action we've taken on

behalf of our Legislature, our government, for four families that have suffered tremendously over the past 18 months.

The Speaker: Further debate?

Mr Clement has moved second reading of the OC Transpo Payments Act, 2000.

Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

OC TRANSPO PAYMENTS ACT, 2000

LOI DE 2000 SUR DES PAIEMENTS
CONCERNANT OC TRANSPO

Mr Clement moved third reading of the following bill:

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

The Speaker (Hon Gary Carr): Further debate?

Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1805.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

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		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 16 October 2000

Lundi 16 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ENVIRONMENTAL PROTECTION

Mr Steve Peters (Elgin-Middlesex-London): As the Walkerton inquiry begins today, all of Ontario is eager to find the answers to why this tragedy occurred and what steps are needed to ensure it will never happen again. Finger pointing and laying blame will not solve anything. What is needed is leadership to ensure that our legacy is a cleaner environment.

For decades, Ontario farmers have taken great pride in being responsible stewards of the earth. The Ontario Farm Environmental Coalition, formed in 1991, demonstrated great leadership by introducing the environmental farm plan. Over 18,000 farmers in Ontario have participated in this program. OFEC developed a nutrient management planning strategy to provide guidance to municipalities in preparation of bylaws. The leadership and foresight of our farmers and agricultural communities should be commended.

We need assurance from this government that they are committed to resolving the issues surrounding safe drinking water. The renewal of such programs as Clean Up Rural Beaches and funding for infrastructure are desperately needed. Ontario farm organizations have long been calling for province-wide guidelines to replace the current patchwork that exists.

All of us collectively have a responsibility to protect our environment. No one has the right to pollute: not farmers, not businesses, not government, not municipalities and not individual citizens. All of us here and in the upper galleries share the same goal: to have a clean, safe environment.

CANADIAN CURLING ASSOCIATION

Mr Brian Coburn (Ottawa-Orléans): I rise today to welcome the Canadian Curling Association, or CCA, to the Taylor Creek Business Park in my riding of Ottawa-Orléans. This association recently turned sod at their new \$750,000, 5,000-square-foot headquarters on Taylor Creek Drive and Vimont Court.

As all members of this House are well aware, the sport of curling is thriving in Canada. We have one of the most

successful organizations in the world, with numerous world championships at the junior, men's, women's, mixed and senior levels. Indeed, the curling club in Canada is a very tight-knit community, and that's why I believe the CCA's move into Orléans is a perfect fit.

Earlier this year the curling world and indeed Canada as a whole were saddened by the loss of one of this country's athletic heroes. Sandra Schmirler was a legend in the curling community, winning countless championships, including gold at the last Winter Olympics. She brought a new excitement to this sport and played a large role in making it as popular as it is today. The passion and commitment of Mrs Schmirler will live on as Canada continues to bring home world championships to display at the CCA's new headquarters in Orléans.

The sport of curling in this country is indeed thriving, and I welcome the Canadian Curling Association to its new home in my riding.

HEALTH CARE FUNDING

Ms Caroline Di Cocco (Sarnia-Lambton): The community-based health and social services organizations in Sarnia-Lambton, such as Senior VIP, the Canadian Mental Health Association and the VON, are being forced to absorb statutory pay equity costs for 1999-2000 without additional revenue to meet these costs.

The Harris government capped pay equity funding at December 31, 1998, levels. The Pay Equity Act, effective January 1 of each year, translates into increased costs to the community health services. These health services cannot continue to absorb these costs. For example, the Canadian Mental Health Association will be forced to reduce services effective January 1, 2001. The specific impact will mean that eight people per week will not receive services. In one year that means that 416 hours of services to people with serious and persistent mental illness will be lost to Sarnia-Lambton. This is occurring at a time when people with serious mental illness require these services and have to wait an unacceptable length of time, frequently up to one year, because the organizations do not have adequate resources to meet the current demand. Moreover, this is added cost. It is occurring at a time when responsibility for care and treatment is increasingly being shifted away from hospitals and in favour of community health services.

MIDDLE EAST PEACE

Mr Peter Kormos (Niagara Centre): For 50 years Palestinians have been denied statehood. That's five decades of struggle for sovereign recognition, for basic human rights and dignity and for such necessities as food and shelter in a very hostile environment. Recently and once again this conflict has taken a violent turn, costing over 100 lives, including children. We share the sorrow of Ontario's Palestinian community at the recent turn of events in their homeland. We also share in the sorrow and we regret and mourn all loss of life.

The federal NDP is demanding that Canada use whatever means available to it, including its seat on the Security Council, to fight for UN involvement to put an end to the violence and the bloodshed. We also support Amnesty International's call for an independent inquiry into the excessive use of force by the Israeli military. Canada can and must play a role in furthering the cause of justice and in finding a peaceful solution to the problems plaguing the Middle East.

No more Palestinians, no more Israelis must die, and the bloodshed must come to an end. The aggression against unarmed civilians must stop. There must be a just peace that restores dignity, equality and human rights in Palestine, and without justice there can be no peace. There can be no peace without a withdrawal of the Israeli military occupation of Palestine and without a withdrawal of Israeli settlements which encircle and strangle historic Palestinian communities.

We speak up for the rights of Palestinians to create their own independent state and for the right of refugees to return to their own homes and lands in peace.

PUBLIC LIBRARY WEEK

Mr John O'Toole (Durham): It gives me great pleasure to rise in the House and to join with Minister Johns to celebrate the first day of Public Library Week in Ontario and to express my support for our libraries and their contribution to communities across Ontario.

In my riding of Durham we are fortunate to have the Clarington Public Library system, under the directorship of Cynthia Mearns and board chair Craig Brown and other members such as Don Peable, and the Scugog Memorial Public Library, under the directorship of Tom Bonanno, Chair Pat Melligan and Ken Carruthers, just to name a couple.

For years now these libraries have provided an invaluable service to residents of Bowmanville, Orono, Courtice, Newcastle, Port Perry and all communities in between. In fact, their service has been increasing in popularity in recent years, with circulation at the Clarington library growing by 60% since 1995 and by 50% at the Scugog library over the same period.

To celebrate library week this year, Clarington has expanded and enhanced its service, now opening its doors to readers on Sundays and making its catalogue available on the Internet for the first time. Scugog

marked library week with the launch of a book by author and retired teacher Dwayne Darlington. His children's book *Toejam* and other Poems was an immediate success, selling more than 30 copies at the event.

As governments across the country work to promote literacy and early childhood education, we can look to our libraries as an historic and excellent resource.

I want to commend the volunteer boards, members and staff of the Clarington and Scugog libraries, as well as all libraries in Ontario, for their leadership, and thank them for providing the residents of my constituency wide access to the world of information in the resources of books.

HOSPITAL FUNDING

Mr Rick Bartolucci (Sudbury): Today I urge the Minister of Health to pay her bills, honour her commitments and act upon the requests of our hospital administrators, who are desperately urging the minister to rectify the financial plight of the Sudbury Regional Hospital.

Our hospital has requested the minister to do two things: provide emergency financial relief and undertake a review of hospital operations so she can learn at first hand that the current funding picture she painted is not accurate.

Currently our hospital, like 77% of other Ontario hospitals, is bleeding a deficit because of the Harris government's mismanagement of health care reform. After only three years, the Sudbury Regional Hospital is facing a running deficit of \$40 million.

To add insult to injury, the health minister has repeatedly turned her back on our hospitals, even when she was informed that we were facing a desperate physician shortage and needed immediate funding relief. Her answer was a flat no, which forced the hospital to spend \$6 million it just didn't have.

To date, the minister has yet to repay our hospital the \$10.6 million for restructuring costs. These are bills paid by the hospital and forwarded to the ministry to be reimbursed. How deadbeat can you get?

The dynamics of our community have changed. Our hospital's acting chief administrative officer and the community now speak with one voice, and we demand that the minister act and act now. We are asking for immediate financial relief and an operational review now.

1340

INTERNET SECURITY

Mr Joseph Spina (Brampton Centre): On October 2, I had the honour of attending the launch of an Internet safety campaign held by the Internet safety committee in Peel. This committee's primary efforts have been concentrating on protecting children from being victimized by sexual predators who use the Internet.

The 19-member committee was initiated by Peel Regional Police Chief Noel Catney, and has representatives from the police, the regional council, the Peel Board of Education, the Dufferin-Peel separate board and volunteer organizations along with the corporate private sector. At this time, Peel is the only municipal police service in the province to have taken such a proactive step.

Although the Internet can be used as a great learning resource, it can also be very dangerous as more and more sexual predators surf the Internet looking for young victims. The main objective of this committee is to educate students and their parents through the introduction of Internet safety guidelines, called cyberproofing. It's anticipated that in the first year of operation, 107,000 students within the region of Peel will be educated through about 300 schools on Internet safety guidelines. Children aged 8 to 15 are the ideal ones we all want to protect.

We want to congratulate Peel Regional Police and the various partners for another forward-thinking initiative.

MUNICIPAL REPORT CARDS

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Recently, the Minister of Municipal Affairs and Housing made comment relating to the introduction of municipal report cards. That caught many municipal leaders by surprise, and I can tell you that after speaking to many of those same municipal leaders, I can report to this Legislature that the minister's announcement is being greeted with a combination of amusement, bewilderment and outright confusion.

There is profound lament among municipal leaders that this initiative was taken without proper consultation. There was no attempt to define what information is currently being gathered, what new information needs to be gathered, how that is different from what is currently in place and, frankly, how that would be used.

The idea of benchmarking is nothing new to municipal leaders. We've been doing that for years. In fact, the fear of this report card is that it will be used as a tool, as a club to penalize efficient municipalities—and I speak from some experience, having had the privilege of serving as mayor of the only municipality in all Ontario that actually lowered taxes six years in a row—that it will actually be used to forcibly merge inefficient municipalities with those that are more efficient.

In the opinion of municipal leaders, the only way to proceed is to consult, to partner and to build and enhance the links with municipalities. We need municipal report cards, but we need to link them with provincial support cards as well.

PROSPERITY 2000

Mr R. Gary Stewart (Peterborough): Recently, Peterborough and area suppliers and buyers of goods and services were given an opportunity to see what is offered

by local providers of quality goods and services. The Greater Peterborough Chamber of Commerce organized a trade show in Peterborough on September 26 and 27 entitled Prosperity 2000. This was truly a unique idea to promote the use of goods and services from within the business community locally rather than constantly looking internationally.

Prosperity 2000 was a tremendous success. Over 80 businesses contracted with the chamber of commerce to rent space, and almost 1,200 people attended the show as visitors, buyers and sellers.

Companies in Peterborough and surrounding areas, like many companies in communities across this wonderful province, are creating and producing interesting products, much of which are currently being exported from the area. The Greater Peterborough Chamber of Commerce recognized that the time had come to market those goods and services and to showcase industry and business within our community.

I would like to commend the work of Peter McLean, president, and Doug Armstrong, general manager, of the Greater Peterborough Chamber of Commerce for a truly successful event, the birth of Prosperity 2000.

VISITORS

The Speaker (Hon Gary Carr): We have in the Speaker's gallery His Excellency the Honourable Hugh Desmond Hoyte, MP, Leader of the Opposition in the Parliament of Guyana. Please join me in welcoming our special guest.

Hon Tim Hudak (Minister of Northern Development and Mines): On a point of order, Mr Speaker: I just wanted to let the members know on behalf of the Minister of Natural Resources, John Snobelen, that we are very pleased to be joined today by members of the Young family, in the members' gallery. The Young family today donated Calder Island to become part of the Manitou Islands Provincial Nature Reserve, on the east side of Lake Nipissing. It is indeed, as everybody knows, a very generous donation. On behalf of the people of Ontario, I am very pleased to recognize and thank them for their kindness and their generosity.

MEMBERS' PRIVILEGES

Mr Dave Levac (Brant): On a point of privilege, Mr Speaker: Pursuant to standing order 23(i), I intend to raise a point of privilege today, Monday, October 16, 2000. The issue concerns section 103 of the Child and Family Services Act. It states, under "Rights of communication etc" that:

"(1) A child in care has a right,

"(a) to speak in private with, visit and receive visits from members of his or her family regularly, subject to subsection (2);

"(b) to speak in private with and receive visits from,

"(i) the child's solicitor,

“(ii) another person representing the child, including an advocate appointed for the child by the Office of Child and Family Service Advocacy referred to in section 102,

“(iii) the Ombudsman appointed under the Ombudsman Act and members of the Ombudsman’s staff, and

“(iv) a member of the Legislative Assembly of Ontario or the Parliament of Canada; and

“(c) to send and receive mail that is not read, examined or censored by another person, subject to subsection (3).”

By extension, Mr Speaker, under the Correctional Services Act, section 59, I attended the Genest Youth Detention Centre in London, Ontario, on Friday, October 5, 2000. Upon my arrival at approximately 9:05, the supervisor was immediately notified in order to escort me through the facility, as I requested.

The detention centre was not in a state of insecurity or an emergency situation, as I requested, because I know that is not allowed under any of the sections. I was denied entry and informed that I would have to make arrangements through the Ministry of Community and Social Services.

I feel my rights as a member of the Legislative Assembly were infringed upon, since such a delay would have defeated my purpose under subsections in the act. That purpose was to provide a safe, quick and private manner for a child to speak to an elected member of the Legislature.

I would ask that you rule on this, Mr Speaker. I indicate to you clearly that I did all I could to indicate very clearly to the supervisors that I was there and understood the legislation and asked if there was an emergency or if there was a situation that required me not to be there. I was informed by the manager that she had not been to the floor and wasn’t aware of any emergency. The supervisor, when contacted, indicated that he wasn’t even present on the ground and indicated there was no such emergency taking place.

Again, Speaker, my rights were denied as a member of this Legislature.

The Speaker (Hon Gary Carr): I thank the member for that point of privilege, and I will reserve my ruling.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Further to the matter raised with you, Mr Levac told me what had occurred at Genest. He told me this matter was going to be raised today. I want to encourage the Speaker to consider this very, very seriously.

I appreciate, because of our bifurcated system of young offender facilities, that the senior level of young offenders are in centres administered by the Minister of Correctional Services and therefore under the Correctional Services Act, where section 59, which Mr Levac has referred to, would specifically apply. That bifurcated system, of course, places the lower level, the junior level of young offenders, under the Minister of Community and Social Services. We should note that we’re the only

jurisdiction, as I recall it, in the country that still maintains that bifurcation.

I submit to you, Speaker, that the denial of entry to any member of the Legislature for purposes of examination or discussion with personnel or persons in custody or persons being cared for in that facility, regardless of the statute, is a very serious matter, especially when it isn’t based on, as Mr Levac spoke to, the matter of there being an emergency or a state of crisis going on in there. I don’t care whether it’s a government member or a member of either of the two opposition parties, when there isn’t that state going on, I think the denial of access to any member of the Legislative Assembly is an affront to the Legislature, to this Parliament.

All of us have responsibilities within this chamber but also outside this chamber. If we’re going to be called upon to perform those responsibilities effectively and meaningfully, it means that members of the Legislature have to have reasonable access to provincial institutions or institutions that are supervised under provincial statute, whether they be transfer-of-payment agencies or otherwise.

1350

Secondly, I ask the Speaker, in considering this point of privilege, to look at section 59 and identify the rationale for section 59. I submit that the Speaker should make reference to section 59 and, by analogy, apply that very express right to those quasi-correctional institutions—I’ll be generous in referring to them as that—those young offender facilities at the junior level. Surely if I have a right, and I do, as does any member of this assembly, to enter any correctional facility, be they adult facilities or young offender facilities, surely by analogy that right extends to young offender facilities, albeit they are administered by the Ministry of Community and Social Services, because the motive is the same, the rationale is the same, the interest being served is the same.

When this sort of occurrence happens, it causes suspicion about the reason for barring a member of the assembly. It puts a cloud over the institution and/or the administration, be it at the institutional level or the ministerial level, a cloud that is undeserved without any further investigation.

That sort of scenario is unacceptable to the people of Ontario, and I submit that this point is very relevant. It’s very timely. I encourage the Speaker to give it serious consideration. I also encourage the Speaker to apply section 59 by analogy and look at the broader interest being served and the fact that there has to be some stature possessed by members of the assembly that permits them to investigate and inquire so that they can do their jobs in a meaningful way. Otherwise backbenchers of all three caucuses become nobodies, not when they’re 50 feet or 50 yards away from Queen’s Park but even when they’re sitting in their very seats.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): On the same point, Mr Speaker: I certainly

agree with many of the comments by the member for Niagara Centre. Indeed, all members of the Legislative Assembly have the right to visit any of the young offender facilities managed by the Ministry of Community and Social Services. There's no disagreement whatsoever on that. Every member of the Legislature is entitled to visit any of our young offender facilities.

I understand that the member opposite presented himself, and there were a number of others in attendance. The individual had to make the confirmation and check that this was the case. He was invited to come back in, I guess, a little more than an hour and he would have been free to make a tour, accompanied by members of his legislative staff. He's certainly more than able to visit the Genest facility, as I have, or as any other member can, at any opportunity. If he would just provide an hour or two hours' notice or make an appointment the day before, they'd be very pleased to provide him with a tour. I think that was the clear indication that was presented to the member when he presented himself for the tour.

Should you require any further information, Mr Speaker, I'd be pleased to provide it, or officials within the ministry would be.

The Speaker: I thank the member for Niagara Centre and the minister for their comments. I will reserve my ruling.

VISITORS

Hon Frank Klees (Minister without Portfolio): I would ask members of the House to help me welcome people from my riding, the Stouffville Seniors Association, who are here to observe the proceedings.

Mr Bert Johnson (Perth-Middlesex): They look younger than you, Frank.

Hon Mr Klees: Wonderful-looking people.

MOTIONS

HOUSE SITTINGS

Hon Frank Klees (Minister without Portfolio): Speaker, I move that pursuant to standing order 9(c)(i) the House shall meet from 6:45 pm to 9:30 pm on Monday, October 16, Tuesday, October 17 and Wednesday, October 18, 2000, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it. Carried.

TOM WELLS

Hon Janet Ecker (Minister of Education): On a point of order, Mr Speaker: I believe we have unanimous consent of the House today to pay tribute to Mr Tom Wells.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Ecker: It's certainly a privilege for me today, on behalf of my caucus, to rise to make some comments about a very fine former member of this Legislature. We have seen in the past that a number of distinguished members of the Conservative dynasty have succumbed to the passage of time.

Not only was Mr Wells a senior cabinet minister in the administration of both Premiers John Robarts and William Davis; he also was an education minister for six years. One of the things I have discovered as the current holder of that portfolio is that past ministers do continue to take a proprietary interest in education matters, and Mr Wells was no different. I had a number of wonderful conversations and received some good advice from him about handling of the portfolio, although times were quite different in those days. He talked to me about when they had the first province-wide teacher strike and some 6,000 teachers, I understand, were gathered on the lawn at Queen's Park. He said that resolving that strike basically involved him and one or two members from the Premier's office and one or two members from the union. They sat in a hotel room one night, and a small group, over dinner and libations, on the back of an envelope, did the agreement that solved that particular strike.

I don't think that these days, with the battery of consultants and lawyers who are involved in all of the different levels, we could quite take that approach, but he said it had worked quite effectively. He wasn't suggesting that I should try that with some of our groups but he did make that comment which was rather interesting.

He served over 22 years and had a number of different portfolios, not only education. I'm told by people I've met that one of the things they remember about his time as education minister was the fact that they were allowed to watch Canada in the world hockey tournament in 1972. That was actually a ministerial decision to allow the schoolchildren to watch that on television. I've met people who have remembered him because of that. But he contributed much more as Minister of Education, and as Minister of Health when there was the introduction of medicare as we know it. He was a government House leader in a minority House and helped facilitate a number of contentious issues through that time. He was Minister of Social and Family Services and Minister of Municipal Affairs. He covered the whole gamut of the government in his day.

1400

He also had the privilege of serving as agent general on behalf of Ontario in England for about seven years, and many who travelled to London had the privilege of

meeting him and to learn of the good work he was doing on behalf of Ontario, and Canadians, at that time.

I think he also will be remembered very fondly by people who dealt with him as a man of integrity, a man of great class and dignity; a man who won the Order of Ontario for his contributions. Also, as an aside, and I think many people in politics probably don't realize this, he led to the formation of constituency offices on behalf of all of the members here, something that I think has served all of us, and certainly the voters, very well over many years.

On a personal note, I know that in this House people are fond of teasing the whip or the Deputy Premier for their sartorial splendour and their well-coiffed hair, but Mr Wells did set quite a standard in that regard for what he wore and how he was dressed. As many have remarked, the press gallery was fond of referring to him as "the man from Glad" because of his immaculate presentation at all times, no matter what the stresses and the strains were.

So certainly the sympathies and the condolences of this caucus, as of all our colleagues in the House, go out to his wonderful wife, Audrey, his son, Andrew, and his daughters, Brenda and Beverley, and their two grandchildren. As one of the writers in the media said, "He was a classic politician of the old school," and that is in the most positive sense.

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased on behalf of my leader, Dalton McGuinty, and the Liberal caucus to say a few words about Tom Wells. I knew Tom for, I guess, 35 years; he became quite a good friend.

The Minister of Education outlined his extraordinary career here as an MPP for 22 years. He was the Minister of Health, I think, when medicare came in. He was the Minister of Education during some challenging times and did a terrific job there. He was the Minister of Municipal Affairs—I think they called it Minister of Intergovernmental Affairs then—right at the end of some substantial change there, and he was also the Minister of Intergovernmental Affairs when the Constitution was repatriated; so he was at the centre of some of the major changes in the province of Ontario.

I actually have never heard a bad word about Tom Wells, which is quite extraordinary.

But I want to talk a little bit about Agincourt, because that's where I knew Tom very well, obviously. He never forgot the constituency. I think someone who plays a big role here in the province can, at their own peril, ignore the constituency. Tom never did. The minister mentioned he opened a constituency office. Even in the toughest times, Tom would be strolling like he had not a care in the world through the Agincourt Mall in the middle of a major teacher dispute. There was Tom, always available, ever available to constituents. I've thought back on the 35 years; I don't think there's been a more respected politician in Scarborough that I can remember. He had universal respect; as I say, the most respected politician in Scarborough.

He was unbeatable. I was one of the six who took a run at him; I didn't make it and neither did the other five. We actually had a contested nomination to pick the Liberal candidate to run against Tom Wells—believe it or not, a contested nomination. There were eight people there—the guest speaker and seven others—that's how much we felt we could beat Tom Wells. That wasn't the year I ran, that was 1967; I ran against Tom in 1975 and I remember the advice was, "You've got to attack Tom." I said, "Well, attack him on what?" He was unassailable, he was a decent person, and I said furthermore that if I did attack him nobody would believe me, because he had that kind of reputation.

The two big things I remember that Tom, among others, did for the riding: Scarborough Grace Hospital exists because of Tom Wells, there's no question about that, as does the Tam O'Shanter Golf Course. Right at the last minute it was ready to be filled in with apartment buildings and what not, and the community got involved in it and Tom got involved in it and saved it. I think well over a million rounds of golf have been played there since Tom and the community saved the Tam O'Shanter Golf Club. I have accounted for three or four of those, but another million people have played it.

Seniors benefited enormously from Tom's work.

On a personal note, I remember one time we had a babysitter, a young lady, probably 25 years old, whose child was killed on a Friday night, a five-year-old child. She came from Newfoundland and she wanted to somehow or other get the child home. I phoned Tom, probably late on a Friday night, and he had it solved. He found a way over the weekend to make sure that young person was allowed to go home.

I was in the hospital myself, a year and a half ago, to have a little hip operation—nothing, just a hip replacement. But who appeared at my door? Tom and Audrey. They were a team, by the way. In Scarborough it was always Tom and Audrey, his lovely wife. You never had to say "Wells"; it was always "Tom and Audrey."

So, on behalf of my caucus, and I know my colleague Alvin will want to say a couple of words, I just want to say how much we respected Tom, Audrey and the family—Brenda and Beverley and Andrew. He will be well missed. He did a terrific job for the province.

Mr Alvin Curling (Scarborough-Rouge River): I too would like to pay tribute to a remarkable gentleman. I think Abigail Tator stated it well when she wrote in the Scarborough Mirror, "Tom Wells is a true gentleman."

Tom was a man of great character and distinction, a statesman and a visionary. The fact is that I was the one who, not knowing the history at all, felt that we had to put a Liberal candidate against this gentleman. I just knew him as a wonderful man. Not knowing what it takes to run an election campaign, I got in there and I started knocking at doors and things like that, and the fact was that at the time Tom came up to congratulate me for entering the race. He didn't say anything to the effect that "You're going to lose"; it was the fact that I was entering. To my great surprise, he came and told me he

was going to step down. So he stood down at that time in 1985 and I ran.

I had understood in the process that the area was the largest electoral area in Canada. It had 414 polls, and the last time a contestant had gone against Tom Wells they got one and Tom won 413 of those polls. I was in the middle of all of that, and when he quit I felt I would be massacred.

In my own statements in the campaign I said some rather stupid things. I remember I said that when I was finished with Tom Wells, he would be carrying my bags. Then after winning that election, the first call I got was from Tom Wells in England who called me to congratulate me that I won.

Sometimes when you ask for things you do get them. I was asked to go to England just after as a cabinet minister, and, as the agent general, Tom Wells came to meet me. The first thing he said was, "Welcome, Mr Minister, to London, England. May I take your bags, please," and I said to Tom, "I really can't do this." He said, "It's all right, Mr Minister." I said, "No, I can't. I'll explain to you later in the car." Then when I explained to him in the car, he thought it was rather funny; I felt rather ridiculous at that.

I felt so comfortable with Tom, the man, as an individual. He was always there for advice and he was always there to support me in whatever he could. Some people have stated here that he held many prominent posts, but I did not see him as the man in these rather prominent posts. He was a gentleman, a really respectable individual.

I of course had these huge shoes to fit my feet into, and as I've gone along I've kept in mind Tom Wells, a man of such stature, such a gentleman. All along he was a friend. It was of course a shock to me when I heard that Tom had passed away. Just a couple of hours before that I was asking Gerry about him, and Gerry said, "Tom is not well," and a few hours afterward I heard that he had died.

We want to say that Tom had such a position in Scarborough-Rouge River, as it is called today. The place is so huge that, as you know, Gerry Phillips, myself and other people now share that large area. We see him as a respectable man, a man of vision and a man we all will remember for years to come. You know that he was a part of the Toronto bid to host Expo '98, and he was named to the Order of Ontario.

He leaves his wife, Audrey, whom we all know; his son, Andrew; his daughters, Brenda and Beverley; and two grandchildren.

We want to wish him well. Scarborough will always remember this great statesman, this friend, this wonderful man.

1410

Mr David Christopherson (Hamilton West): It's my honour to rise today and pay tribute to Mr Tom Wells on behalf of the NDP caucus. It has already been mentioned that he was known as "the man from Glad" to many people in Ontario, certainly to reporters, but those who

worked with and knew Mr Tom Wells remember him as a young upstart, freshly elected into the provincial Legislature during the 1963 landslide, when the Conservatives not only won this place but for the first time ever there was a gaggle of Conservatives on this side of the House because of the overflow. They referred to themselves as "a gaggle." Of course, the last time that happened in this place, we referred to them fondly as "the rump," and I'm sure Mr Wells would have no problem with that title.

As part of the gaggle of government members sitting on this side of the House, he was quickly branded as a member of the "Chicago gang," a group of young Tories who had a reputation for coming into the House gunning at the opposition, but sometimes they fired at their own government too, again not unlike the recent rump that we had on this side of the House a few years back.

Mr Wells was a member of the Conservatives at a time when "Progressive" had a little more resonance than some of us feel it has today. As Mr Wells himself remembered, "We used to make a bit of noise." None of that seemed to do him any harm. Three years after Tom Wells was first elected to the Legislature, he joined the cabinet and went on to take over the health ministry in 1969, just as medicare was coming on stream. During his political career, Tom Wells would go on to hold ministerial portfolios in social and family services, education, intergovernmental affairs and serve as government House leader.

As the Toronto Star wrote in its tribute to Tom Wells, "He was at the hub of Progressive Conservative rule in Ontario for 22 years, almost from the time he was first elected MPP for Scarborough North in 1963 until he stepped down undefeated in 1985," 22 years of political leadership and not a single defeat.

But a political resumé does little justice to Tom Wells, who was known on both sides of the House as a man of integrity, as someone who tried to find commonalities rather than thrive on differences. He was inclusive, not exclusive, in his political approach.

During Tom Wells's reign as education minister, his focus was on educating all students, not simply on province-wide tests to root out the bad students and crack the whip on the education system. His philosophy was far more inclusive. He said, "It's not whether you pass examinations that is important. It is whether you can learn and adapt that knowledge."

As intergovernmental affairs minister, Tom Wells was very involved in the run-up to the 1981 constitutional agreement, which he viewed as one of Canada's success stories. He said, "I don't think anybody today believes you could write a constitution for any country in the world which wouldn't include a charter of rights and freedoms."

It was that fair and inclusive approach to politics which won Tom Wells praise from both sides of the Legislature. Even as the then Liberal leader, David Peterson, was busy criticizing Mr Wells's 1985 promotion to agent general as a patronage appointment, he was

quick to offer praise about Mr Wells the person. He said, "Tom is a nice man. There is no question about that. He's basically a peacemaker."

In an interview in the mid-1990s, Tom Wells talked about his ability to bridge the political gap and get along with members on both sides of the Legislature:

"In those days we had a great bunch in the Legislature. We may have differed philosophically and had great battles, but we seemed to be friends with people in all parties. I remember getting along well with a number of Liberals and NDPers, sometimes to my disadvantage with members of my own caucus who used to say, 'You can't be that friendly with all these people.' My philosophy of how the system works is that you do your business and defend your particular policies and beliefs in the House but, outside that place, we are all friends and are all elected to do the same job."

George Hutchison, one of Mr Wells's communications advisers, has said that Tom Wells "was an incredible politician in the best sense of the word, because he was able to bridge differences and find common ground. He had tremendous negotiations skills," as we've already heard the current education minister refer to. Tom Wells attributed those negotiating skills to his early days as an advertising director for the Canadian Medical Association Journal: "I was in selling before politics, and selling is selling, whether the product is advertising, a political image or Ontario."

For more than two decades, the electorate of Scarborough North bought Mr Wells's image of what Ontario should be. Today, as we mourn his passing, we pay tribute to the political statesman he was, and to the man of integrity we remember him to be.

On behalf of my leader, Howard Hampton, and the NDP caucus, I extend our condolences to the family and friends of a fine parliamentarian, Mr Tom Wells.

The Speaker (Hon Gary Carr): I thank all of the members for their comments. I will make sure copies of Hansard go to the family.

ORAL QUESTIONS

TRUCKING INDUSTRY

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Economic Development and Trade. For months now, truckers have been losing hundreds of dollars a day, independent truckers who have kept our economy moving, because you promised action to help them cope with a 75% increase in their fuel costs. In spite of all the promises, nothing has happened; all you've done is talk. As they say, talk is cheap, Minister, and filling their gas tanks isn't. The truckers are tired of hearing the promises.

Minister, you promised action and the Ontario truckers are calling your bluff. We'd like to know today specifically what you intend to do to alleviate the situation with

our truckers so we ensure the economy doesn't end up in the dumpster as a result of your failing to act before this crisis started.

Hon Al Palladini (Minister of Economic Development and Trade): Certainly, to quote the honourable member, what comes out of her mouth is cheap as well.

This government has been facilitating and trying to do things that are going to address the concerns truckers have as a whole within the Ontario industry. I believe we are making progress, and the fact is that it has taken us about 20 years to get to this particular point. I have every confidence the industry will come up with resolutions that will make it prosper and make it better in the long term.

Mrs Pupatello: Today the truckers are going broke. Talk is cheap, and all we've heard so far is that you were going to bring everybody to the table to talk. The truth is, the truckers were looking to you for part of the solution and you haven't offered any solution at all. You left a carrot dangling last week and said you hope you don't have to use it, but you have legislation just in case you have a crisis.

My question for the Minister of Economic Development and Trade is, what does the minister consider to be a crisis? Does he consider truckers parking and stopping the movement of product a crisis? In a just-in-time economy that Ontario has, is that considered a crisis? Were you serious about bringing forward legislation? Were you serious about coming to the table with a solution, as opposed to just inviting everybody to come and sit down at the table?

Hon Mr Palladini: We have been facilitating various meetings within the industry. We appointed an independent chairperson to oversee these meetings. I believe that certain headway has been made, progress has been made. As I said earlier, it is an unfortunate situation, but it's going to make more time to make sure that things are going to get addressed.

Our government has led by example. The fact that the Minister of Transportation made an announcement on Friday making retroactive a base price of January 1, that will instantly put money into the hands of these independent owner-operators. I have encouraged the industry. They are at the table, and they are facilitating and looking at how they can put more money in truckers' pockets.

These things will happen, but we need to sit and do it in an amicable fashion so we can resolve not just the fuel surcharge issue but other issues that confront the trucking industry as a whole.

1420

Mrs Pupatello: To the Minister of Economic Development and Trade: the truckers are not at the table. They're parked at the side of the road. What you have is a crisis. Every economy in Ontario is being affected by the truckers who are not working today. What they are looking to you for is a solution.

Last week we asked the minister in this House a question. He could not come forward with a solution. The next day, the Premier had to walk in and draw up

legislation within three hours for a solution. I'm asking the minister: isn't it time to call the Premier to the table? Is it not time to get the Premier of Ontario involved in finally finding a solution to a crisis that will grip Ontario and will bring all of our economy to a grinding halt? Minister, will you get the Premier involved in this solution?

Hon Mr Palladini: The honourable member would like to say to people or to the members of the Legislature that the Premier is not involved. The Premier is involved on a day-to-day basis on every issue within this government.

I have a tendency to speak too loudly. I'm going to try and keep my voice down so the members can hear me a little bit more.

I would like to tell the honourable members across the hall here that this government has acted very positively on this issue and we have made inroads to coming up with a solution that will be in the best interests long term.

I have encouraged working together because working together we are going to come to a resolution. I've also said that if industry does not respond, if industry does not come to the table, then this government will regulate the portion of the fuel surcharge access. We have said that and we are willing to do that, but I have a lot of faith within the industry that it will not be the solution that we are all looking for.

WALKERTON TRAGEDY

Mrs Sandra Pupatello (Windsor West): My question is for the Acting Premier. I'd like to read a letter from Jamie McDonald who writes,

"My wife and I and our three young children reside in Walkerton.

"Not only have we had to cope with the ongoing water woes but we also had to cope with having two of our three children hospitalized in London due to serious complications of an E coli outbreak."

Today, "All cooking, washing of food and cleanup is done with bottled water.

"In order to give the children a cleansing bath, we drive 150 kilometres round trip to our relatives' house.

"These are just a couple of the high points of living in Walkerton. Everything is far from fine from my vantage point!!"

Acting Premier, could you explain why this government has failed the McDonald family in Walkerton?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): Through you to the member opposite and to those who may be watching, everyone is aware that the situation in Walkerton has been truly tragic. This government has a great deal of empathy with the family the member mentions. We are living up to our commitment to do everything we can to make sure that the situation improves in Walkerton.

To date, the 4.6 kilometres of water mains have been replaced. We've issued orders to stop using well 5 and ordered hydrogeological study in areas surrounding the

other wells. The Ontario Clean Water Agency is at Walkerton and has been there for a number of months, trying to make sure that when the water is hooked up it is absolutely safe, and I think the member opposite and everyone would agree that should be the priority. They're doing that as quickly as they possibly can, but you want to make sure that when it does start to work again for the family you mentioned it's absolutely safe.

Mrs Pupatello: Acting Premier, five months ago the water in Walkerton began to make people sick. Five months ago Dalton McGuinty dragged this government into a public inquiry which begins today.

My question for the Acting Premier is, what do you think is reasonable? Is it reasonable that the people should have no assistance by this government so that people like the McDonalds are still suffering the fate today that they suffered five months ago and that they still are without safe drinking water?

The people of Walkerton deserve something more than just the truth that will come out in a public inquiry; they do deserve to have safe water and they deserve that now. After five months, the water coming out of their taps is still poisoned. Your government failed to provide that water assistance. What exactly is an acceptable level of wait for the McDonalds and all the other people who today, after five months, still do not have safe drinking water in Walkerton?

Hon Mr Hodgson: As I've mentioned, everyone is concerned about this situation. It's truly tragic what happened in Walkerton to the people who died and the families that have had to live through this ordeal. We are taking steps, and you know that. The Ontario Clean Water Agency has been working with town officials. If you talk to people at the municipal level, the town's mayor has been widely quoted as stating that the Ministry of the Environment has been very helpful and is doing everything in its power to make sure that water is restored in a quick fashion, but also it has to be ensured that it's safe. The experts are working on that to make sure that when it does get restored it's absolutely safe for the McDonald family and all the residents of Walkerton, and I think that's what reasonable people would expect.

Mrs Pupatello: This is what the Premier of Ontario said last May: "We can't wait five months for a public inquiry." He made it sound as though five months was an absolute lifetime, and for the people who've been coping with cleaning, with babies, with trying to give baths, five months has been an absolute lifetime.

Do the people of Ontario know that you, the government of Ontario, have not helped the people find water to drink, to transport water? You've done nothing to assist the people to go day to day until you decide that you're going to have safe drinking water in Walkerton.

I'm asking the Acting Premier today, do you think it's acceptable that after five months in the 21st century the government of Ontario cannot provide safe drinking water for the people of Walkerton?

Hon Mr Hodgson: The member opposite is a reasonable person; she knows that there's no such thing

as a magic wand to just say that everything will be hooked up tomorrow. This is a complicated situation. The Ontario Clean Water Agency has worked with the town and the municipal officials and experts in the industry. I think she would agree that it should be done properly and that it's turned into an issue where it's taking a lot of resources to replace all of the piping. But do you think we shouldn't do that? I think we should. We should act responsibly and make sure that we do the best thing for the people of Walkerton and that when the water's hooked up it has to be absolutely safe for the residents of Walkerton. I think you would agree with that and that experts should be working on that and doing it in that manner.

ENVIRONMENTAL PROTECTION

Ms Frances Lankin (Beaches-East York): My question is to the Acting Premier. Last week you introduced Bill 124, calling it the toughest environmental penalties legislation in North America. What I want to know is why this bill also repeals some of the toughest provisions in the existing law. The law on the books now allows administrative penalties against a director or an officer of a corporation who has failed to take all reasonable care to prevent the corporation from polluting the environment. Your new law repeals that provision. Funny how, among all the smoke and mirrors and hoopla, your minister neglected to tell us about that little change. It was nowhere in his statement. It was nowhere in the bill's explanatory notes. It was nowhere in the ministry backgrounder document. Acting Premier, would you tell us, why are you scrapping that section, weakening our environmental laws while pretending to make them tougher?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): As the member opposite is aware, we are keeping our promise to get tough on polluters. I will pass on to the Minister of the Environment your specific concerns, but I think you would agree that this is a step in the right direction, that we want to have the toughest laws and make sure they are enforced, to make our air and water cleaner and our environment better for the next generation. I think you would even agree with that.

Ms Lankin: Acting Premier, it's your government, your cabinet that made the decision to repeal this section of the act, and I want to know why. It's pretty clear that Bill 124 is little more than a public relations exercise to respond to the beginning of the Walkerton inquiry. You are trying to make a big deal about raising penalties when in fact you're not enforcing the law and you're not prosecuting under the law.

1430

Your bill amends the environmental penalties that were enacted in 1998, under the then minister Norm Sterling. You told the House at second reading—this is really great, Minister—when discussing this very section of the act, that this would make our laws—you guessed

it—the toughest in North America. It's a great spin line. The government spin doctors obviously like it, so they're trying again. But it's hard to make it fit when they're actually weakening the law and the legislation that's there.

What was enacted in 1998 says that administrative penalties can be imposed on corporate officers and directors who don't do everything reasonably possible to make sure that environmental offences are not committed. Why is your government repealing that section now?

Hon Mr Hodgson: I can assure the member opposite that our draft legislation will go through consultations. I know that you would agree with making sure that we have the toughest laws to make sure that our environment is the cleanest and the best it can possibly be. You've read the introduction of the draft. I think you would agree that these fines will make us better as a province and that good industry will welcome this. It levels the playing field and it means that Ontario is a leader in environmental protection.

Ms Lankin: Minister, in 1995 environmental fines in the province of Ontario were at \$2 million. Under your government it has dropped to \$850,000. You're not enforcing the law; you're not prosecuting under the law. Raising the limits is not going to make it the toughest.

This bill falls way short of what your ministry officials told you needed to happen in the cabinet submission that led to Bill 124. They said you needed 500 new staff to enforce the existing law; you decided to go for 65 temporary staff. The submission proposes an environmental snitch line so members of the public could help you enforce the law; your bill doesn't do that. It proposes amending the legislation to make environmental regulations an "absolute liability," to eliminate lame excuses for polluters; your bill doesn't do that either. Instead, you're repealing a section that your former Minister of the Environment said made his act the toughest in North America, the same language that you're using today.

You were part of the cabinet then; you're part of the cabinet now. You are here as Acting Premier. Tell us: why is your government repealing this section of the law, weakening Ontario's environmental protection?

Hon Mr Hodgson: You've got some concerns with the bill, but I think you would agree overall that this is a step in the right direction. There are some huge, significant steps forward. For individuals, a first-time offence: right now, the present situation in Ontario is zero to \$100,000 plus a possible two-years-less-a-day jail term. Under this proposal it would be a maximum of \$4 million plus a five-years-less-a-day jail term. For an individual's subsequent offences it's a huge increase, up to a maximum of \$6 million plus a five-years-less-a-day jail sentence. For corporations, a first offence: right now it could be anywhere from zero up to \$1 million. Under this proposal it will be a maximum of \$6 million. For a corporation's subsequent offences it goes to a maximum

of \$10 million from the present limit of zero to \$2 million.

I know that the Minister of the Environment will be interested in the opposition's comments, and we look forward to working with you to make sure we move forward to protect the environment in Ontario.

TRUCKING INDUSTRY

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Economic Development and Trade regarding his complete mismanagement of the fuel price crisis in the province of Ontario. Truckers have blocked the Whitby food terminal today because your government has done absolutely nothing to deal with the serious problems that are facing independent truckers. They have tried for six months now to get your government to understand that the fuel crisis is costing them their trucks and their livelihood, and all they've gotten is rhetoric from your government. Minister, you promised that your government would regulate the trucking industry if the industry wasn't prepared to regulate itself. It's clear it isn't. It's clear you've caused a crisis. When are you going to bring in legislation to fix the mess?

Hon Al Palladini (Minister of Economic Development and Trade): The honourable member would like everyone here to think that the fuel crisis we're facing is an Ontario-made problem. There is a fuel crisis throughout the world; unfortunately, we're all affected by it.

I want to say that yes, I did say that if the industry is not able to regulate itself, this government would regulate, making sure that access to the fuel surcharge is made available to the owner-operators. We have been negotiating in good faith and the working committee is working. We have made advances. I just would like to allow the process to make sure that we look at not only the fuel surcharge issue but other issues that are affecting the trucking industry.

Naturally, I'm disappointed at some of the things that have been happening. That's not the way it's supposed to be. I encourage all truckers to give an opportunity to the people who are part of the working group to come up with all their solutions.

Ms Martel: Minister, the truckers don't need your encouragement. They need some leadership from you, and they're wondering when they're going to get it.

The question was, when are you going to bring in legislation to regulate the trucking industry? Independent truckers need to know they're going to get some compensation for high fuel prices. They need to know they're not going to carry the cost of increased fuel prices all by themselves.

Your working group has fallen apart. There are no effective discussions going on right now, and it's clear your government has no plan to deal with this crisis. I ask again, Minister, when are you going to show some leadership? When are you going to bring in legislation to regulate the trucking industry?

Hon Mr Palladini: It's very clear the honourable member would like to add more fuel to the fire—no pun intended. This government has acted very responsibly by facilitating the meetings the industry needs and by helping the truckers at least have access to the people they work for. The working group is working, contrary to what the honourable member is saying. The best thing for the trucking industry is to allow these meetings to continue, so we can get to the bottom of this thing and make sure Ontario's trucking industry is viable for a long time.

The Speaker (Hon Gary Carr): New question.

Mr Monte Kwinter (York Centre): I have a question to the Minister of Economic Development and Trade. Two weeks ago today, I stood up and suggested to you that the talks between your ministry and the trucking associations had collapsed, and that we were in danger of having a slowdown: rigs parked by the side of the road, disruption to just-in-time deliveries, disruption to fuel deliveries and disruption to produce deliveries. You stood up and said you had a working group that was working and doing these things, and that you were going to come up with a resolution.

In your response to me—and you've already made it twice today—you said exactly the same thing. I just want to quote it to you, because I think it's a smokescreen for doing nothing. You said, "We can address not only the fuel surcharge but also some of the other issues within the trucking industry." You said that to me, and you've said it twice today. Later on in the same response, you said, "But we have to look at the overall industry." Then you said, again, "not just the fuel surcharge but other issues within the industry."

The problem is, when you called your meeting, this exalted working group, and you brought the National Truckers Association there, they came expecting to see something on the table. They came to see you addressing their number one issue, the fuel surcharge pass-through. You didn't even mention it. It wasn't mentioned at that meeting. They walked out, and the acrimony was reported in the media. They said you may be talking but you're not listening. What do you have to respond to that?

Hon Mr Palladini: I want to say to the honourable member that I'm not negotiating. I've been a facilitator all along. I've been facilitating access within the trucking industry, so that talks could actually take place so we can come up with solutions.

Fuel surcharges have been a problem for quite a while, and this government had the courage to lead by example. Last Friday, the Minister of Transportation made the announcement that owner-operators at least will have immediate access to the monies they have been putting out.

I want to say to the honourable member that we have every intention of making sure the carriers and shippers are going to make sure that access to fuel surcharges will be possible to the industry. If that does not happen, this

government has already said we will regulate that portion of the industry to make sure it does happen.

1440

Mr Kwinter: You're talking a good game, but the facts do not bear out what you're saying. Yesterday the trucking associations met, had a vote and were unanimous that they were getting nowhere with this government. According to Bill Wellman, the president of the National Truckers Association, "We're through talking." You keep talking about things that might happen, and they're talking about things that are going to happen. They are going to stop delivery of products to our key industries, and you are doing nothing about it. You've made all sorts of promises that you will bring in legislation and do various things. You're doing nothing.

I ask you now, are you prepared to bring in legislation? If you are, why are you telling some of the truckers that you're not bringing it in? You're not really being upfront with them, and you're creating problems. Those problems are going to affect our industry, they're going to affect our consumers and they're going to affect people who are the most vulnerable. I suggest that if you're going to deal with the problem, deal with it. Stop talking and start doing some action.

Hon Mr Palladini: We have made every serious effort to deal with the problem, contrary to what the honourable member is saying. Never at any time have I said to anyone within the trucking industry that I would not consider regulation of the fuel surcharge access. On the contrary, I must have said that a hundred times, and we still have every intention of doing it.

I'm glad the honourable member has asked the question, because one of the things the honourable member should know is that even if the province regulated the fuel surcharge access within Ontario, that will only affect a minor number of owner-operators in the province. I wonder if I can get the honourable member's support to help me lobby the federal Minister of Transportation, so Ontario operators will not be put at risk. I'm looking for your support.

FARM TAX REBATE PROGRAM

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Agriculture, Food and Rural Affairs. You recently made an announcement concerning provincial sales tax on farm building materials. I know the exemptions on these building materials has driven a lot of new construction on the farms in my riding of Perth-Middlesex, and farmers want information on your plans to make this plan more accessible. Minister, can you outline the changes that have been made to the program and tell the House why these changes were made?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): As the member will know, our government committed in this year's budget to make the sales tax exemption on farm building materials into a point-of-sale exemption, meaning that farmers could keep their hard-earned money rather than paying the

provincial sales tax for these materials and applying for a rebate.

Exempting farm building materials has stimulated construction on farms across the province, leading to more modern facilities and more jobs. Under the rebate program, over 15,000 claims, representing over \$425 million worth of renovation and new farm buildings, were processed. Now farmers can make this competitive contribution to our economy more easily. This is just one example of our commitment to the province's farmers.

Mr Johnson: Minister, people in my riding want to know more specifics on this change. They want to know how the program has changed, now that they don't have to apply for the rebate, and they want to know how this change affects building projects that are done by contractors. Minister, can you give us some detail on how the program is meant to work when a farmer actually goes to the store to buy materials, and what happens if a contractor is doing the buying?

Hon Mr Hardeman: When a farmer goes to buy materials for a farm building, he or she must sign what is known as a purchase exemption certificate stating that the goods are for farm use only, as well as stating the name and address of the farmer. This process is already in place for many products bought for farms such as fertilizer, pesticides and hand tools.

I want to make it clear that a contractor can also sign the exemption certificate when the building materials are bought, provided the details of the project and the name and address of the farmer are given. This will make the program work better, as contractors do a large part of the work in our farm construction. We have worked with the Ministry of Finance to get the word out on this regulation to our stakeholders and to stores that are selling building materials. Anyone who wants more information can call the local retail sales office and the Ministry of Finance for information. Their number is in the blue pages. Thank you again to the member for the question.

CONSTRUCTION INDUSTRY LABOUR RELATIONS

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Labour. Late Friday afternoon you announced that you were going to kill Bill 69. Clearly, on this side of the House we believed all along that Bill 69 was an unnecessary, aggressive, bad piece of legislation that was simply intended to split the labour unions, that was simply another attack by your government on the construction trades in Ontario. You had somewhat of an agreement, you had unions agree to it, and the reason you did that, Minister, was because you put a gun to their heads and you said, "You either go along with this or we're going to blow your brains out through an even worse piece of legislation."

Let me quote what you said in the Toronto Star on June 29: "They're playing with fire. If they don't support the bill, they will leave me with no alternative. I'll have to bring in a bill that abolishes section 1.4 of the Ontario

Labour Relations Act.” Minister, that is a declaration of war on the construction trades of Ontario. Will you stand up today and make it clear to the House that you have no intention whatsoever of bringing in any legislation to abolish 1.4 of the Ontario Labour Relations Act as it affects the construction trades?

Hon Chris Stockwell (Minister of Labour): I’d like to thank the member opposite for the question. I can’t give him that kind of undertaking because right now the Ministry of Labour and cabinet and caucus itself are reviewing the options that are made available. I personally think it’s a shame that there wasn’t compromise and agreement found by all the parties who in fact endorsed the piece of legislation, Bill 69. I thought it was a good piece of legislation. I thought the legislation dealt with the issues that the employers and subcontractors, general contractors and unions had with respect to competitiveness in the construction industry in Ontario.

Having said that, it didn’t work out. Obviously we believe that there is a competitiveness problem in the construction sector and that it still needs to be addressed. There are still a few avenues and options made available to us. We’ll have to examine those options and determine what would be best for the people of Ontario.

I understand your opposition to that. I think you and the other opposition party have outlined your concerns. I appreciate your concerns. If you have any bits of advice or inquiries, I’ll be happy to respond.

Mr Agostino: From a minister who’s usually pretty clear and forthcoming in the House with his answers, frankly, that was disappointing. Very clearly, here’s a bit of advice: there is no need at this point to bring in any tougher legislation that would cause disruption to the construction trade simply to please your friends in the general contractors who have donated a ton of money to your party and who have lobbied you to make these changes. There is no need to make any changes at this point to the legislation. That is our position, Minister.

Bill 69 was not necessary and the removal of section 1.4 is not necessary either. It is disappointing because, clearly, by your answer today you have not ruled out the possible removal of that section of the legislation. That is a declaration of war on the labour movement. If you move to remove that section of the legislation, I can guarantee you one thing: you will bring every single construction site in the province of Ontario to a standstill. It will bring the economy of this province to its knees, and you will be responsible for that.

You have a choice today, Minister. Once again, you can make it very clear to the province of Ontario that you have no plans of removing 1.4 from the Ontario Labour Relations Act. Will you do it today or are you going to declare war on the labour movement by not doing that?

Hon Mr Stockwell: Well, Mr Speaker, in the beginning of that question he suggested I didn’t answer the question, and at the end of the question he suggested that I did answer the question, so I’ll try my best to respond. What is it? I hardly should be asked not only to answer

the question but also to figure out what the question was, but I’ll do my best.

Interjection.

Hon Mr Stockwell: I hear the member for Windsor cackling away there. Listen, you might even agree with this when you hear the answer.

We haven’t decided which way we’re going to go. We tried to get Bill 69 as a compromise. We tried our best to find out whether there was a compromise in this industry and we worked toward it for over a year. There wasn’t a compromise. The parties couldn’t come together. The union side, in my opinion, gave us an undertaking—I see some of the members who actually sat in the room and gave me that undertaking, who went out and then said, “No, we can’t give you this undertaking. We can’t do what we said we would do.”

So all I can tell you is that we’re examining our options. Our options are open to us. When we make a decision, we’ll bring legislation to the House and we’ll debate it fully. There’s not any point in my telling you what we’re going to do until we’ve had a frank and open discussion within caucus and gotten input from caucus, something I’m sure you don’t know much about.

1450

DRINKING AND DRIVING

Mr John O’Toole (Durham): My question is for the Solicitor General. Minister, at the local meetings I’ve had over the summer and fall, my constituents have repeatedly expressed concerns with the issue of road safety, more specifically driving while under the influence. I know that road safety is one of our government’s top priorities and that in 1995 we launched a comprehensive road safety plan which gave police the tools they needed to make our roads safer. We’ve also implemented strong legislation like the Sergeant Rick McDonald Memorial Act and created initiatives like community safety zones. But of particular concern to my Durham constituents is the issue of drinking and driving.

Could you please tell the House and my constituents today about other initiatives the province and your ministry have taken to combat drinking and driving in Ontario?

Hon David H. Tsubouchi (Solicitor General): First I’d like to thank the member for Durham for his question. Drinking and driving will not be tolerated in this province. I think it’s very clear that everyone in this House believes the same thing.

We’re pleased to tell the House and the people of Ontario that in 1995 our government carried through on a commitment we made and fulfilled a \$1.2-million annual funding promise to the people of Ontario. This doubled the commitment of this province in the fight against drinking and driving. While I have the opportunity, I want to recognize as well the efforts of the police services across this province, both municipal and provincial, in terms of their commitment to the fight against drinking and driving.

The other thing that I think is very significant is that this government has increased the suspensions with respect to drinking and driving to be the toughest in the country. Now a repeat drinking and driving offender can face a lifetime suspension of their driving licence. "Three strikes and you're out" I think is a very important message and a tough message to send to the people in Ontario. Don't drink and drive or else you'll face the fullness of penalty in this province.

Mr O'Toole: Thank you for that very genuine response, Minister. I like your strategy, that drinking and driving should not be tolerated. I think it's a zero tolerance issue, personally.

As I must repeat, this issue is, not just for my riding but for all the people of Ontario, a very important one. In particular, there were several fatal accidents you might be aware of in my riding of Durham over the summer. Most of them involved the use of alcohol.

While most people are getting the message about the dangers of drinking and driving, sadly, the message simply is not getting out to some. Could you tell my constituents and the people of this province what other initiatives and investments our government has developed to combat drinking and driving and put a stop to this abusive situation on our roads?

Hon Mr Tsubouchi: Once again I thank the member for Durham for the question. It gives me an opportunity to talk about the local investments this government has made in its fight against drinking and driving, particularly in the region of Durham.

Since 1995, our government has provided almost \$130,000 to RIDE, the Reduce Impaired Driving Everywhere program.

There's an interesting program that we helped to fund in Durham through our Partners Against Crime community crime prevention program. We provided a \$30,000 grant this last fiscal year to the Durham District School Board for a program called Impact 2000. This a road safety program which is addressed toward teen drivers and specifically addresses drinking and driving.

I've had a lot of opportunities, in my previous portfolio and also this one, to act with a number of groups. One of the really significant groups in this province is Ontario Students Against Impaired Driving, OSAID. They have taken the lead.

If we can somehow work with the young people of this province to get across the very important message of not drinking and driving, I think that is the key for the future of safety on our roads in Ontario.

MENTAL HEALTH SERVICES

Mr David Christopherson (Hamilton West): I have a question for the Acting Premier involving a very serious matter. I would like you to tell the people of Hamilton, to tell me and to tell the family of Zachary Antidormi why you have rejected a coroner's inquest recommendation to expand a program that will save lives.

You will know that as a result of the 1999 inquest, there was a recommendation to expand the services of the crisis outreach and support team, known as COAST. In May, your government received a proposal to expand that program. The Hamilton-Wentworth police services board have already approved their share of the funding, and you have rejected your share of it.

Your government talks a lot about children. You talk a lot about justice; you talk a lot about public safety; you talk about fairness. You talk a lot. This was an opportunity for your government to put your money where your mouth is and expand a program that will save lives.

Minister, tell all of us today why your government thinks they can afford to ignore the recommendations of that coroner's inquest and ignore the needs of families like Zachary Antidormi's.

Hon Chris Hodgson (Chair of the Management Board of Cabinet): As the member opposite knows, this is quite a complicated issue. We are looking at the implications of this. I know the Minister of Health is aware of the situation and will report back on it. I appreciate the question. I will inform her that you've asked.

Mr Christopherson: Minister, that is certainly far, far from acceptable. The fact of the matter is that lives can be saved. The police believe it; our community believes it; the Antidormi family believes it; the coroner's inquest believes it. It's only your government that doesn't think this matters.

Here's what the Antidormis had to say: "The jury worked very hard at the inquest, investigating the needs of the community. This was considered a need.... Some other family is going to have to suffer what we suffered."

Minister, it doesn't have to be that way. You have an opportunity to do the right thing today. As the second most influential financial minister in the government, you would be very much aware of this proposal. If you can't give me an adequate explanation of why you rejected this expansion, then I want you to stand in your place now and say that it's a mistake and that your government will approve the funding expansion so we can save lives in Hamilton and every other community across Ontario.

Hon Mr Hodgson: After researching this issue, the member of the third party would be aware that the program has not been cancelled, that the Ministry of Health is committed to the recommendations and making sure they are workable. The Ministry of Health and the minister will work with the program to make sure the concerns that he mentions are addressed. As I've already mentioned to him, I will mention to the Minister of Health that he has raised this issue. But I want to stress, for the people who might be watching this on television, that the member already knows the program has not been cancelled.

POVERTY AMONG SENIORS

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the minister responsible for seniors in this

province. Homeowners who heat with natural gas or home heating oil will see a huge increase in the cost of heating their homes this winter. Close to 800,000 seniors in this province do not pay provincial income tax. These people don't pay income tax because these people don't make a lot of money. They are on fixed incomes. These people are going to have to pay, by most estimates, over \$500 more this winter than last to heat their homes. They don't have an extra \$500. Minister, what are you and your government going to do to assist those seniors in the province who need to heat their homes this winter?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me say that everyone is cognizant of fuel prices and the increasing prices. We all are watching carefully to see what happens in the federal mini-budget this week. There's lots of talk about what may be there and they are certainly talking about what they might do.

But let's talk about what we're doing in the province of Ontario. Let me say that this week, or in the next few weeks, everyone in the province who has paid tax of up to \$200 will be receiving a \$200 rebate, thanks to this government. That's an important side, if you will, a dividend from the province of Ontario.

Let me also say that this province has worked to reduce the taxes that seniors and all people across the province pay. We've reduced the tax substantially. We haven't seen any reduction from the federal government yet. All of those things enable seniors to have more disposable income, to be able to pay costs that sometimes are unavoidable, unfortunately, as a result of the well gate prices.

1500

Mr Brown: Minister, you didn't listen. There are 783,490 seniors in this province who will not receive a tax rebate cheque from the province because they did not pay it. These are the people we're concerned with today. We want to know how seniors in this province, those 783,000 who did not pay provincial income tax and are going to have to pay \$500 more to heat their homes—are you going to do something about it or are you going to leave them in the cold?

Hon Mrs Johns: Let me be very clear. There's no way this government would be apologizing because we took hundreds of thousands of people off the taxes so they don't have to pay tax any more. There's no way we should be apologizing for that.

The people of Ontario see tax reductions which have been substantial as a result of this government, and never will we apologize for that. In fact, we're proud of our record. Fewer people are paying tax in the lower brackets, and that's good for seniors, that's good for people with low incomes, and we're proud of that record.

ACADEMIC TESTING

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Education. I hear a great many concerns from people in my riding that today's students

need to be extremely well-educated to compete in the global marketplace. Our Ontario students will be competing with students across the country, and indeed around the world, for many jobs that don't even exist yet. My constituents tell me that a good basis of literacy is vital for our students.

I'm aware that this past week all grade 10 students across Ontario took a literacy test. Can you explain why this government has chosen to implement such a test, and can you also tell us how the tests went overall last week.

Hon Janet Ecker (Minister of Education): As we said before both the 1995 and 1999 elections, one of our goals was to have better quality and more accountability in the education system to make sure that we were giving our students what they need when they leave high school. One of the ways we test whether the new curriculum is doing its job is to have standardized testing. For example, one of the tests that is just being phased in this year is the grade 10 literacy test. It was something we said we would do. We are indeed doing it. It was phased in this year to make sure that it is indeed a valid test, that it is giving information not only to measure how well we're doing as a system but also how well students are doing individually, because of course it will be, starting next year, a requirement for students to graduate from high school. We also have accommodations for special education students to make sure they can do it.

I'd also like to thank the many individuals, the teachers and the staff at EQAO, for the work they have done—

The Speaker (Hon Gary Carr): Order. I'm sorry, the minister's time is up.

Mr Stewart: Thank you, Minister, for your answer. After meeting with about 150 students last week, their concerns are certainly your concerns and vice versa.

I know that parents and employers in my riding are glad to see that this government is recognizing that we need to know how well our education system is serving our students. Is it true that testing is one of the most accurate ways we can determine how students are doing? Once the results of the tests are known, are there remedial supports available for students who need extra help?

Hon Mrs Ecker: Students, of course, get evaluated a number of ways by their teachers, as they should be. But if we're going to be able to ensure that the system is doing its job, we need to have standardized tests across the system, so we do in grade 3, grade 6, phasing in in grade 9, and of course the grade 10 literacy test.

The other reason is that it clearly will be measuring whether our students have appropriate literacy skills before they leave high school. If they don't have those skills, remediation has to be done, and we've already started funding that. There is \$25 million in additional monies being invested this year to help with remediation activities, things like summer school, study groups, steps that will assist students in being able to pass the literacy test.

We are also interested in preventing literacy problems. That's why we've increased funding this year for literacy programs in kindergarten to grade 3, so that in those early grades not only are young children getting what they need in literacy skills but also, if they are having problems, they're getting identified at that early age.

NATIVE CHILDREN'S SERVICES

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Minister of Community and Social Services. In 1989, eleven years ago, commitments were made to the aboriginal people of Toronto that, in time, Native Child and Family Services would receive full CAS funding. Dalton McGuinty made this commitment in the First Steps document. Aboriginal children of Ontario deserve services that will respect their unique culture and identity.

In 1997, your assistant deputy minister told Native Child and Family Services of Toronto that you would make a decision. In 1998, they expected an answer. In 1999, you still did not respond. Your ministry's own review reported that your lack of action has placed this agency, and I'm quoting from the report, in an "uncomfortable and unsustainable position." Minister, when will you make Native Child and Family Services of Toronto a full-fledged children's aid society?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): We encourage the agencies in question, with their programs, to reflect the traditional aboriginal values. However, our priority is to ensure the safety and security of every child in this province.

I'm aware of the concerns the member opposite has expressed. I'm aware of the concerns expressed by aboriginal leaders in the province about the implementation and the pace of child welfare reform.

We've undertaken, at considerable effort, to reform our child welfare system, with more than 100% increase in funding and some tough new legislation. We have designated a number of aboriginal child welfare agencies in the province, and we're waiting to see the full results of that. So if the member opposite wants a clear answer, it is no, not at this time.

Mrs Dombrowsky: Minister, this 80-page report by the Ontario Federation of Indian Friendship Centres catalogues the plight of urban aboriginal children.

Last year, Bill 6 amended the Family and Children's Services Act "to recognize that Indian and native people should be entitled to ... their own child and family services." Yet you wrote to Native Child and Family Services of Toronto in June, indicating you would not designate them as a CAS. On September 25 of this year, this agency wrote to all of its stakeholders to inform them of your—and I quote from their document—"promises made and promises broken."

You've ignored your own legislation, Bill 6, at the expense of children. When are you going to designate

Native Child and Family Services of Toronto as a full-fledged children's aid society?

Hon Mr Baird: In the member's first question, she says we won't give them a straight answer, and in the second, supplementary question she reads a letter from me, saying the answer is clearly given.

At this time, we have no plans to expand the number of native children's aid societies across the province. As I indicated to the member opposite, we're undertaking a comprehensive reform of our children's aid societies, which has been led by my predecessor, the Honourable Janet Ecker. We've more than doubled funding. We have designated a number of agencies. We'll watch closely how they move forward before we make a decision to proceed.

1510

STUDENT ASSISTANCE

Mr Wayne Wettlaufer (Kitchener Centre): I have a question for the Minister of Training, Colleges and Universities. It concerns the Aiming for the Top scholarships, the creation of which program you announced earlier this year. Very recently the first winners have been announced and I'd like to know, for the benefit of many of the students in my riding, what you can tell us about the program, about this year's winners, and certainly for the many students who are going to be graduating this year, how they can apply for the program.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): The Aiming for the Top scholarships are something that everyone in this House should be very proud of. It's an opportunity for us to recognize our top students in our secondary schools, those students who are not only good at what they do but those students who really need to be in those universities and colleges. Qualified students are eligible to receive up to \$3,500. If they keep their marks up, they can do that for as many as four years, so we know we're looking at some \$14,000 in support. They just do this by applying next year by filling out the OSAP form and filling in the tick marks.

I will say that more than 4,000 young people received this award in some format this year, and close to 1,400 received the maximum award. I want all members of this Legislative Assembly, however they can, to somehow acknowledge the young people in their own secondary schools.

Mr Wettlaufer: I think this indicates that we are recognizing some academic excellence. But, Madam Minister, I think students need to be reassured, because certain students in my riding have expressed some concern that if they accept this money they will place themselves at a disadvantage when applying for Ontario student loans or any other financial aid. I wonder what assurance you can give to them that, if they win an Aiming for the Top scholarship, they will not be put at any financial disadvantage.

Hon Mrs Cunningham: To ensure that the scholarship winners receive the full benefit of their awards, the Ontario government has in fact put in an exemption for any merit-based scholarship. That's very important. It's a new requirement for OSAP in the sense that this will not be counted against them for the special awards that we give our students with regard to student loan programs.

Interjection.

Hon Mrs Cunningham: I will say that this in fact is a scholarship. The opposition are asking a question, which they could do during regular question period, but I'll answer it anyway. The Millennium is not a scholarship. The federal government unilaterally made up a program that we already had in Ontario. Since the member asks, that is the wrong way to do business. The federal government should work with the provinces.

I will say that that is not a scholarship. That, in fact, is not a scholarship. It was not clawed back—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. New question.

Interjections.

The Speaker: Stop the clock, if we could, please. Order. On to the next question.

COLLECTIVE BARGAINING

Mr David Christopherson (Hamilton West): My question is to the Minister of Labour. Minister, you will know that there's a piece of legislation coming before the House this afternoon, Bill 128, the Social Housing Reform Act, that contains yet another attack on working people and their right to belong to a union. In fact, this bill goes so far as to strip the democratic right to belong to a union and the democratic right to have a collective agreement from workers who are actively working in the public housing field.

You are the Minister of Labour. We are asking whether or not you are in the cabinet now arguing on behalf of those workers and for their rights by telling your cabinet colleagues that they must delete section 51 of Bill 128. Minister, will you stand in your place now and tell us that that is what you are doing on behalf of these workers?

Hon Chris Stockwell (Minister of Labour): I appreciate the question from the member from Hamilton. This is the period of transition that takes place between transferring the lock, stock and barrel from this level of government to another level of government.

From the meetings that I was involved in in drafting the legislation it was very clear, and we made it very clear as a government, that we were not in the habit of stripping collective agreements or stripping members and unions of their rights. During the period of transfer there needs to be a transition period, a natural time when you can move certain employees from one level of government to another. Those employees who are being moved need protection as well as the employees who are in place presently today.

When they come together, there is some excess in certain circumstances. We need to protect both levels of employees and understand that their rights and provisions are protected under the act so when they come together, both sides are represented by their local unions, both sides have proper representation, and when they amalgamate at that time, everyone has a fair and active right to pursue the kinds of employment they want to pursue, and those who don't get taken up receive the proper payouts and so on that they receive from whichever level of government they have.

The fact remains—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Mr Christopherson: Minister, that's not what's happening here. The fact of the matter is that under this bill you've taken away their grievance rights. The grievance procedure has been denied them. So how can you stand in your place and talk about being fair and you try to come across as this new kind of Tory Minister of Labour, but at the end of the day the legislation and the anti-democratic attack on union workers are exactly the same? It doesn't matter whose face they put into that ministry; the attack is the same.

What you're doing is downloading about \$1 billion worth of costs on to municipalities by giving them responsibility for all social housing, and you're trying to offset those costs by undercutting the rights, the wages, the benefits that union members enjoy in a collective agreement. Contrary to what you say, Minister, just the fact you're taking away grievance rights proves that this is all about taking away rights from workers yet again and denying them their democratic rights.

Minister, I need you to stand in your place and tell me that you're going to go back into that cabinet and fight for workers rather than fighting workers.

Hon Mr Stockwell: I've got to say to the member for Hamilton West, I go to the cabinet table and represent the people of the province of Ontario.

When it comes to fighting for workers, let me say this: I have never been part of an administration as Minister of Labour that went and raped and ripped off collective agreements like the social contract. I was not part of that kind of application of what you consider fair labour laws. I've not been part of an administration that went in and ripped up collective agreements, rolled back wages, forced people to take Rae days. I've not done that. What I've done is protected—

Interjections.

The Speaker (Hon Gary Carr): Sorry to interrupt the minister. We can't continue with the shouting.

We still have a little bit of time, 10 seconds, for the minister.

Hon Mr Stockwell: What we've done is we've amalgamated the housing authorities between provincial and municipal levels. Yes, there will be some jobs cost, but what we're doing is protecting both levels—the local level, the provincial level—protecting each worker's right to get the job they deserve based on their seniority.

Remember seniority? It's part of a collective agreement that you pillaged under the social contract.

NOTICE OF DISSATISFACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): On a point of order, Mr Speaker: I am dissatisfied with the response from the Minister of Community and Social Services and I request a late show.

The Speaker (Hon Gary Carr): I thank the member, and she can file the appropriate papers with the table.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): I have a petition to the Ontario Legislature. It's with regard to northerners demanding that the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to this petition, as I'm in full agreement.

1520

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners

who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by many residents from my riding. I agree with them and I'd like to thank Gerry Lougheed Jr for all of his efforts.

HIGHWAY SAFETY

Mr John O'Toole (Durham): This petition is with respect to Bill 102, An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway. Actually, this is my bill; it's a good bill.

"To the Legislative Assembly of Ontario:

"Whereas motor vehicle accidents are the leading cause of death in North America; and

"Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increase the risk of collision; and

"Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of"—Mr Speaker, this is very important—"hand-held cell-phones,"—that's what the nature of the bill is—"portable computers and fax machines while operating a motor vehicle." Remember the hand-held part there; we don't ban cellphones with this bill.

"We further respectfully request that Bill 102, An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously by all members of the provincial Parliament of Ontario."

I'm pleased to endorse this.

McMICHAEL CANADIAN
ART COLLECTION

Mr John Gerretsen (Kingston and the Islands): I have a petition here from the Agnes Etherington Art

Centre at Queen's University, one of the leading art centres in Ontario. It reads as follows:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act; and

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art; and

"Whereas the passage of Bill 112 would constitute a breach made with the hundreds of other donors to the McMichael Canadian Art Collection and vest too much power in the hands of the founders, who have been more than compensated for their generosity, diminish the authority and responsibility of the board of trustees, limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on taxpayers, and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

It's signed by approximately 60 individuals, and I've affixed my signature to it as well, as I am in complete agreement with the petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

I add my name to those of these petitioners.

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledges that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

This petition is presented with the signatures of another 90 concerned constituents in my riding, and I affix my signature in full agreement with their concerns.

CHILD POVERTY

Mr David Christopherson (Hamilton West): I have further petitions from the West Hamilton Interfaith Committee on Child Poverty.

"Whereas the federal government signed the United Nations Convention on the Rights of the Child and passed a resolution to eradicate child poverty by the year 2000; and

"Whereas at the first ministers' meeting in June 1996 the Prime Minister and Premiers made tackling child poverty a collective priority; and

"Whereas Campaign 2000 records the province of Ontario as having the highest increase—116%—in child poverty since Canada's House of Commons vowed unanimously in November 1989 to eliminate child poverty;

"Therefore, we, the undersigned, petition the Parliament of Ontario:

"(1) to take immediate steps to eradicate the hunger of poor children by working vigorously with the federal government to reduce the poverty rate among Ontario's children; and

"(2) to follow and implement the recommendations of the Early Years Study, commissioned by the Ontario government in the spring of 1998."

I proudly add my name to this petition.

HUNTING IN WILDERNESS PARKS

Mr Michael Gravelle (Thunder Bay-Superior North): A petition to the Legislative Assembly of Ontario:

"Whereas the Minister of Natural Resources has confirmed that the province is considering allowing

hunting in Ontario's wilderness parks, including Quetico, Killarney, Wabakimi and Woodland Caribou;

"Whereas the provincial government made no mention of opening up wilderness parks to hunting when it came up with the Ontario Living Legacy policy last year for a vast area of publicly owned land across northern Ontario;

"Whereas the province's wilderness parks were originally established to be sanctuaries where the forces of nature would be permitted to function freely and where visitors could travel by non-mechanized means and experience solitude, challenge and personal enjoyment of that protected area; and

"Whereas opening wilderness parks to hunters undermines the principles that parks were established to fulfill, threatens animals and exposes the public to risk;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Natural Resources renew and reconfirm its ban on hunting in all of Ontario's wilderness parks."

These petitions keep coming in. I'm very proud to add my name to the signature and I support it fully.

FARMFARE

Mr David Christopherson (Hamilton West): Further petitions forwarded to me by Stan Raper of the United Farm Workers.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits;

"Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative;

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7;

"Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

"We, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario."

I proudly add my name.

1530

HEALTH CARE FUNDING

Mr Ernie Parsons (Prince Edward-Hastings): I have a petition to the Legislative Assembly of Ontario.

"Whereas Canada's health care system is one of our greatest achievements as a country;

"Whereas health care in Ontario has deteriorated, with medical services being reduced and hospital budgets cut to the bone, resulting in lengthy delays in treatment, with sometimes fatal results;

"Whereas major changes to health care legislation by the Harris government have been made with no prior public consultation;

"Whereas residents of Prince Edward-Hastings are demanding that their voices be heard and their concerns addressed to ensure that future health care legislation meets their needs;

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the Harris government to protect our valued health care system and to hold public hearings on Bills 23 and 173."

I am pleased to add my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a further petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents residing elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern cancer patients and eliminate the health care apartheid which presently exists in the province of Ontario."

This has been signed by a number of residents from my riding. I agree with them, and I'd like to thank Gerry Loughheed Jr for gathering these signatures.

HIGHWAY SIGNS

Mr Michael Gravelle (Thunder Bay-Superior North): A petition to the Legislative Assembly of Ontario:

"Whereas the Mike Harris government has been spending hundreds of thousands of taxpayers' dollars on a provincial sign campaign accompanying highway construction sites which reads, "Your Ontario tax dollars at work," signed by the Premier;

"Whereas these signs serve no particular purpose except to promote the image of the Premier at taxpayers' expense;

"Whereas this kind of public relations exercise is a completely inappropriate waste of taxpayers' dollars and certainly is not a wise use of our tax dollars at work;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation immediately remove all of these partisan highway signs from provincial highway construction sites across the province of Ontario;

"Furthermore, we petition the Ontario Legislature to pass Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to prohibit partisan highway signs which, if passed, would prevent the Ministry of Transportation from issuing to the crown any permit to display a sign which contains the name or image of a member of the provincial cabinet or a member of the Legislative Assembly or a partisan message."

I'm very pleased to sign my name. These are also coming in in great numbers.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I continue to receive petitions from the Canadian Auto Workers regarding cancer in the workplace. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

Again, on behalf of my NDP colleagues, I add my name to these petitions.

ROYAL ASSENT

SANCTION ROYALE

The Deputy Speaker (Mr Bert Johnson): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator has been pleased to assent to certain bills.

Clerk at the Table (Mr Todd Decker): The following are the titles of the bills to which His Honour did assent:

Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries / *Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries;*

Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication / *Projet de loi 88, Loi visant à promouvoir l'utilisation des technologies de l'information dans les opérations commerciales et autres en éliminant les incertitudes juridiques et les obstacles législatifs qui ont une incidence sur les communications électroniques;*

Bill 110, An Act respecting the regulation of the practice of Professional Forestry / *Projet de loi 110, Loi concernant la réglementation de l'exercice de la profession de forestier;*

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / *Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.*

ORDERS OF THE DAY

SOCIAL HOUSING REFORM ACT, 2000

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

Mr Coburn, on behalf of Mr Clement, moved second reading of the following bill:

Bill 128, An Act respecting social housing / *Projet de loi 128, Loi concernant le logement social.*

Mr Brian Coburn (Ottawa-Orléans): Before I begin, I'll be sharing my time with the members for London-Fanshawe, Peterborough and Durham.

Bill 128, the Social Housing Reform Act, if passed, will keep the government's commitment to transfer social housing administration to municipalities.

When we came to power in 1995, the Mike Harris government said we would end the boondoggle in social housing. Since then we have worked hard to streamline programs, improve administration and bring in efficiencies.

After extensive consultation, we recently introduced legislation that fulfils our commitment to put this service in the hands of municipalities, where it belongs. We strongly believe that local governments are in the best position to respond to the housing needs of their respective communities.

The transfer of the social housing programs to municipalities was announced in January 1997 as part of a local services realignment. The province agreed to take 50% of the education costs off the residential property tax base as part of this realignment. These new financial arrangements began one year later. The province has continued to administer social housing programs while developing proposals to meet our commitment to streamline and improve the social housing system before handing it over to the municipalities.

If passed, the Social Housing Reform Act would give municipalities the say for pay that they have been asking for for many years. What's more, the Social Housing Reform Act would allow municipalities to integrate the administration of social housing with Ontario Works, child care and other social services they deliver. By integrating these services, municipalities would serve their clients more efficiently and more effectively.

1540

Let me stress that the province has taken every precaution to make sure tenants are protected throughout this entire transfer, and beyond. May I repeat: tenants will not be disrupted. Protecting tenants is this government's number one priority in this piece of legislation. No tenant needs to feel threatened by program streamlining or devolution of social housing programs to the municipal level. Provincial standards will ensure that service levels, eligibility, access and benefits will continue much the same as today.

I specifically want to emphasize that rents geared to income will not be affected and will continue to be set at 30% of income. All households in need would continue to be eligible to apply for social housing, regardless of where they live in the province.

Let me tell you what the housing world would look like if this legislation is passed:

Social housing tenants would be secure in their tenure; tenants would not be adversely affected, and there would be minimal disruption in their lives.

There would be no decline in the number of households assisted or in the number of units for people with disabilities.

Municipalities would manage and operate their own social housing portfolios; they would have say for pay and be able to provide better service to those in need more efficiently.

In addition, the province would continue to play a key role in setting and monitoring province-wide standards.

In other words, good news for the tenants, for the municipalities and for the taxpayers who foot the bill.

Let me take a few minutes to highlight some of the details in the bill now before the members.

The government proposes that the transfer would occur in two stages: the province would devolve the 84,000 units of public housing stock and approximately 13,000 units of rent supplement as a complete business on January 1, 2001; and the responsibility for administering the 156,000 non-profit and co-operative housing units would follow over a period of 18 months.

The public housing transfer would take place first, at the start of the new year, if this legislation passes. Municipalities would immediately have the say for pay that they have been seeking. It would also give local governments some direct experience in administering social housing. This experience will help them as they plan to take over the remaining non-profit portfolio.

To implement the public housing transfer, we propose to create 47 local housing corporations. Each would have the designated local service manager as its sole shareholder. These service managers are the existing CMSMs, or the consolidated ministry service managers, who currently administer Ontario Works and child care.

The current public housing business, including the administration of rent supplement contracts, would be transferred to the local housing corporation. The service managers—in fact the municipalities that pay the bills—would have direct control of both the property management business and the properties.

The employees working for the existing local housing authority would be transferred to this new corporation. This would give the local housing corporations the necessary expertise to operate housing units and minimize disruption to tenants throughout the transfer. The local housing corporations would then manage the properties in much the same way as the local housing authorities do today. Again, there would be minimal disruption to the tenants.

I should add that the proposed structure would give municipalities the flexibility to change the system to meet their local needs any time after the transfer. That means that service managers could keep the existing business system, develop a new structure to fit in their administrative and accountability structures, or indeed change the way properties are managed and maintained. There are some restrictions on municipal flexibility to ensure that tenants' interests are protected.

This flexibility would allow service managers to continue to operate public housing through the new local housing corporations. They could also add responsibilities to the local housing corporation. The municipal service manager could choose to integrate the local housing corporation into new or existing non-profit corporations or some other organization.

The non-profit transfer would be completed within 18 months of proclamation. The non-profit and co-op transfer would include both provincially and federally led non-profit and co-op housing projects. Not included in the transfer will be dedicated supportive housing, because it will continue to be administered by the province, as well as the federal co-ops and the rural and native housing programs. The federal government will continue

the administration and funding of co-ops, and before making a final decision on the rural and native housing programs, the province will complete its consultation with the stakeholders.

The proposed legislation would simplify the administration of non-profit housing by replacing a number of different operating agreements for provincially led programs with one stable, consistent accountability framework. The new accountability framework would include the most important provisions of the existing operations, including protection of provider mandates, but it would also include much-needed improvements which balance the needs of housing providers and the municipalities.

Under the new funding model, non-profit and co-op housing providers would be given a fixed level of subsidy within which they would be required to operate. Providers would gain more autonomy, funding predictability and streamlined accountability. This level of subsidy would be established after completing a comprehensive benchmarking exercise, which will determine the appropriate level of funding required.

The roles and the responsibilities of non-profit and co-operative housing providers will remain essentially the same.

I would like to make special mention of the important role that volunteer boards play in the operation of these housing projects. Their hard work, dedication and commitment are critical to the smooth operation and high quality of life in the communities.

The roles and responsibilities and agreements of federal providers would not change.

While municipalities would administer social housing programs, the province would be responsible for the following: (1) setting and monitoring standards; (2) ensuring that current levels of service are maintained; and (3) making certain that benefits and eligibility requirements are consistent province-wide.

It's also worth taking a moment to outline what the provincial standards would do. They would ensure that there is compliance with the terms of the federal-provincial social housing agreement; for example, setting income limits for those who are to receive housing assistance. They would ensure that municipalities will continue to provide assistance to the same number of rent-geared-to-income households as those receiving this assistance at the time of devolution. They would ensure that there are province-wide rules on eligibility and benefit levels. Rents geared to income would continue to be set at 30%. They would ensure that municipalities report on a regular basis to ensure that provincial and federal standards are being met. They would also ensure that the current supply of units for physically disabled access is maintained.

The province would also maintain responsibility for mortgage renewals on the social housing portfolio, manage the default risks and transfer federal funds marked for social housing to the local level.

1550

Two advisory bodies with representatives from the municipal and social housing sectors recommended that certain functions relating to social housing should continue to be managed on a province-wide basis. This would provide opportunities for cost savings and efficiencies by taking advantage of economies of scale.

We agree there is a need for a province-wide corporation to handle those activities such as group insurance, pooling of replacement reserves, ongoing benchmarking, best practices and bulk purchasing. The proposed province-wide corporation would be controlled by municipalities. It would also have non-profit and public housing providers and the province represented on the board. Once this corporation is set up, it would be free to run its affairs the way it sees fit. The province would fund the corporation for the first three years.

The proposed social housing reforms would establish roles and responsibilities for social housing that make sense. Those with an expertise in providing social housing continue to do so. Municipalities fund and administer the program and finally have the ability to integrate this important social service with other services provided at the local level. The province sets out the framework, determines the standards and enforces those standards.

Some might question why it has taken so long to bring this legislation to the House when we announced our intention back in 1997. In fact, we needed a signed federal-provincial agreement before we could move to improve and streamline the programs and serve clients more effectively. The negotiations were lengthy and the agreement was finally signed on November 17, 1999.

The provincial government did a lot more than negotiate with the federal government during this period. We did two things. We had extensive and productive discussions with stakeholders, held public meetings across the province and essentially looked at all options around how to bring in a better social housing system. We also worked hard to find efficiencies so we could give assurances to municipalities that they were getting an efficient and effective program.

As I said earlier, the government has consulted extensively with municipalities and housing providers throughout this process. In 1997, we appointed an advisory council to recommend reforms. Individuals with expertise from the social housing providers and municipalities participated. The advisory council reported to us in 1997. The government accepted the principles of the report and we took our consultation to the next level. We appointed the Social Housing Committee, again with representation from housing providers and municipalities, to build on the work of the advisory council. We asked them to look at the implementation issues and to undertake additional consultation. There was also a special tenants' consultation in the spring of 1998, and the Social Housing Committee had further consultations that fall.

The Social Housing Committee's report was comprehensive, and you will see many of their recommendations reflected in this piece of legislation.

For the last two years we've been working with a municipal reference group both on devolution issues and to help us negotiate the federal-provincial housing agreement. We had regular meetings over the last year with a housing provider reference group. We've had a separate consultation with municipalities specifically on implementation, and we've had working groups, held sessions at stakeholder conferences, and worked with AMO's social housing task force and with a regional housing group.

We have used our time well over the last three years. We have consulted; we've discussed ideas; we've hammered out implementation details. We have had all the parties around the table together. We did not always agree but we did negotiate, compromise and collectively look for the best way to achieve our common goal of an efficient and effective system.

The result of this ongoing dialogue is a piece of legislation that we believe brings us to this goal: to provide a better social housing system.

To all those who have participated in those discussions and debates and stakeholder meetings, and in particular to the individuals who worked so hard on those committees and working groups, we thank you for your hard work and your much-appreciated advice.

Over the past few years, the government has also achieved tremendous savings in social housing costs, more than \$100 million, which have been passed on to the municipalities. These savings were found through efficiencies and lower mortgage rates.

I would like to remind the House that the province is giving the new housing corporations title to the public housing stock. That is an asset with a net worth of approximately \$1.7 billion. The government came to this figure with the advice of an outside firm. It took into account many things, such as size of the units, age of the buildings, and the arrangement with the tenants in place. The number is an estimate, but this is clearly a valuable asset that municipalities will now own and operate.

The public housing stock is well maintained and kept in a good state of repair. The average annual budget for capital expenditures in public housing province-wide is \$100 million. In 1998, in anticipation of devolution, \$117 million was spent for capital repairs in public housing. In other words, we have taken care of our buildings. It is not just our opinion that the stock is in good shape. The government commissioned two independent studies. The first concluded that the condition of the public housing stock is as good as similar rental stock, if not better in many cases. The second showed that the current budget has sufficient capital dollars to maintain that stock. The Ontario Housing Corp is currently reviewing the distribution across the province of the \$100-million annual capital expenditure to ensure that it is distributed appropriately across the province.

The funding associated with social housing business is important to understand. As I said earlier, the municipalities have been paying the cost of social housing for the last few years. Since 1998, the cost of social housing has fallen by \$100 million, due largely to lower mortgage costs.

The province has developed mechanisms that would take advantage of economies of scale for province-wide mortgage renewals and group insurance, and has been working with housing stakeholders on a plan for pooling of capital reserves. These and other cost-saving measures should ensure the municipalities have the ability to cover the costs of social housing.

Through this legislation, we would give municipalities the resources and the flexibility to manage future risks through the flowing of federal funding, the transfer of public housing stock, and administrative flexibility.

If this legislation is passed, each of the province's 47 municipal service managers will get a share of the funds slated for that purpose in Ontario's social housing agreement with the federal government. The province would establish a schedule of federal funding allocations to each service manager, and we would adjust this schedule over time if indeed it is needed.

In addition, the province also proposes to provide one-time funding of \$58 million to be distributed among federal unilateral and public housing projects to supplement or create capital reserve funds to deal with future capital funding pressures.

We also recognize that there are transition costs associated with taking on the administration of social housing. We propose to provide more than \$11 million in transition funding to help municipalities with the transition costs of assuming social housing. One-time transition funding of \$5.6 million would help offset some start-up costs, such as administrative office set-up, costs of computer equipment or the cost of hiring consultants.

We would also provide local governments with some \$8 million in one-time funding specifically to assist with costs of a property management system for public housing.

In addition, municipalities may also be eligible to receive funding to address any remaining matters with respect to the title of public housing buildings.

1600

Of course, a smooth transition relies on much more than just money. That's why we've been working very closely with all stakeholders over the past few years, and continue to develop extensive information, education and training packages to help municipalities take on these important functions. As just one example, senior provincial staff met monthly with senior staff from the service managers to work on transition issues. If this legislation is passed, there will be a smooth transition, and we all will have worked hard to make sure it happens properly.

In closing, the bill before the Legislature today puts a vital service in the hands of those most capable of delivering it. As I stated before, we believe that muni-

cipal governments are best positioned to respond to the housing needs of their communities.

Mr Frank Mazzilli (London-Fanshawe): It's my pleasure to rise and speak to Bill 128 on social housing, and I want to thank the member from Ottawa-Orléans, who has done a great job on this bill in relation to consultation with stakeholders across the province. I know he's worked very hard at it.

This is part of a commitment we made in 1997 in relation to realigning local services, and who does what, if you will. In doing so, the province, in exchange for assuming education taxes, agreed and worked out partnerships with municipalities allowing them to provide some services that in the past had been provided by the province, and what better service to be provided by municipalities than social housing? When someone feels they have a need for social housing and a need for social services, they generally attend their municipality. How could the province effectively deal with the local needs in that community?

This weekend I had an opportunity to go to an event in London. I spoke to people who are involved with the London housing authority and asked them how the transition was going—the transfer of social housing from the province to the municipality. These are employees of the now Ontario housing authority, and they were very excited. One person told me that not only did she feel it was going well, but it was the right thing to do. She was excited about not only the amount of housing available but the quality, the shape the units were in.

If you look at some of those units, which I have certainly had the opportunity to do in London, over the last decade of NDP and Liberal government, they had deteriorated. In many cases, some of the social housing had graffiti on the walls and fences, and backyards that were deteriorated. Of course, that shouldn't be anything new to us. It's like the health care system—10 lost years of Liberal governance: no financial resources to put into our hospitals, no financial resources to go into our education system or our housing, along with highways. So why would it surprise us that the stock in housing had deteriorated during that time? Since the Mike Harris government was elected in 1995, we cut taxes, as you know, to the point where we've grown the economy in Ontario. Those taxes have allowed, if you've not been following the numbers, 769,000 net new jobs in Ontario. Through those new jobs, 565,000 people have been freed from the trap of welfare, which was deteriorating our province's fiscal ability to deal with very important issues such as health care, education and social housing.

So, through the increased revenues, not only did we invest in health care and education, but we invested in social housing, and those units that had deteriorated to the point where, quite frankly, no one wanted to live in them, or could not live in them; we've invested in the upkeep of those units. Like I said, people in London are very excited that these units are being transferred to the local authority.

The Liberals under Dalton McGuinty believe in big government: big government making decisions here in Toronto. In most of our ridings, people believe they should be able to make decisions locally, and certainly that is what the Mike Harris government has always supported and will continue to support.

Not to draw anything into a federal election, but certainly we hear rumours of federal elections and star candidates being flown in from across the country into certain ridings. It's certainly something that I would submit, if I were a local person, would not be acceptable: people flying in from across the country to represent a certain riding. That's what the Liberals want to do: bring in star candidates representing big business, representing big tobacco, representing anything that's big. But of course people in their ridings will have to decide who they're going to support, and enough said about that. But I do urge whatever party comes to power federally to look at issues that are important to all of us, like cutting taxes, cutting red tape and certainly growing the revenues in the national coffers to pay down the debt and invest in health care, education and social housing.

We speak about social housing and also homelessness. The Liberals want to talk about homelessness, like they have all of the answers. They'll point out that someone is possibly sleeping on the street. You're right, they are. In relation to other acts, a lot of the issues in relation to homelessness often have to deal with mental health issues. We see it every day, when someone does not have the ability to make decisions on their own and therefore, through no insight into their illness, they're left in a homeless condition. Before we start throwing any money at that problem, we certainly have to figure out a mechanism of how we get help for that person who truly needs help before we can address the housing needs. But this is a debate for another day, and I urge Dalton McGuinty not to oppose anything to do with prosperity and allowing people to get help, allowing people to spend more of their own money.

As you know, I've heard from people in my riding recently about the \$200 tax dividend. People are excited. One night on TV I watched the parliamentary assistant to the finance minister doing a program. He spoke about neighbours of his who were going to buy new boots for their children with this \$200 tax dividend. You know what? That is their right to do that, to buy new boots for their children to go to school with. In other cases I've heard of people who are going to buy gifts for families. We encourage that. This is their money, after all, and they deserve to spend it.

Thank you, and I will now pass it over to the member for Peterborough.

Mr R. Gary Stewart (Peterborough): It is indeed my privilege to speak to Bill 128. You're going to hear over the next little while, certainly from the opposition, members saying, "Oh, this is downloading to the municipalities." Let me tell you this is—and I know it is difficult for the opposition members to understand this, but I'm going to say it fairly slowly so they can. The fact

is that this is a shifting of services to the level of government that can best deliver those necessary quality services in a very accountable and efficient manner. As I said, I know this is foreign language for the opposition, but in this day and age, where there's only one taxpayer and there's only a certain number of dollars that we can all pass on for quality services in the province, we have to look at ways to make it as efficient and accountable as we possibly can.

1610

I look at what's happening in health care. The feds are supplying a certain amount of money, the province is supplying a certain amount of money, and indeed the lower-tier government is as well. I cannot believe that we have three levels of government giving the same service, and absolutely all of them have great bureaucracies and great administrations. If I was making a suggestion, I would highly suggest that we have one level of government doing this with one administration or one level of bureaucracy. Then put the dollars into the actual product or the service that you want to provide.

This bill is a continuation, I believe, of the Blueprint and, indeed, the Common Sense Revolution and the Who Does What process. It's one more indication that this government is doing what it said it would do. If I look at the municipalities for the last many years, municipalities wanted some say for pay. Being in municipal politics for about 13 or 14 years, we kept saying to Mr Province or Mrs Province, whichever way you want to do it—or the province—suggesting that you get out of our pocket and let us do it. When there are various levels, it costs dollars and takes dollars away from the product you are trying to create.

Certainly if I look at what's happened in the municipalities over the last couple of years, I have to chuckle to myself, because they are paving or cementing absolutely everything that's flat, which says to me that there's a lot of dollars out there.

You know where a lot of the dollars have come from? It's because of the reduction in social services, which meant a great deal of dollars for the local municipalities that they can now reinvest in other things. If you look at some of the key benefits that this legislation is suggesting, I think it is primarily the benefits to the people who will be using social housing, but I believe it will be a major benefit for the municipalities as well.

In fact, as I said, number one, it puts a local service back into the hands of the local community, and why not? It's a service that can be more effective, and it reflects local needs. There is no doubt in my mind whatsoever that the municipal governments are the ones that are delivering social services, and most of them are doing it at the upper tier, and they know what is required within their particular municipality. Certainly it is different in possibly Toronto than it is in rural Ontario, or it may be different up north than it is in south-central or western Ontario. I believe that the municipal politician has his finger on the pulse of what's going on in his particular community.

It also means that the local community can more effectively integrate this service with other local delivery social services such as Ontario Works and child care. Again, why would we not put this all under one banner and get away from the fragmenting, get away from a number of levels of government costing dollars to do that service?

It can mean that the clients can be better and more effectively and efficiently served. Certainly if we can be accountable and if we can be effective and if we can be efficient, it then means that additional dollars can be put into the service. Third, it means that the responsibilities for bricks and mortar will be in the hands of local government where it more appropriately belongs. I have great respect for the municipal level of government. I believe they are closest to the people and they are the people who know what's going on.

One other thing: I'd like to compliment Henry Clark, a councillor with the city of Peterborough. Mr Clark is looking after social services for the city, and they have come up with a couple of unique ideas that are enhancing social housing. They have both the public and the private sectors involved with the city, and what they've done is open a couple of houses that they now own, which have been renovated, again with the help of both the private and the public sectors, and volunteers. There is absolutely no doubt that Peterborough is the volunteer capital of this province.

Mr John O'Toole (Durham): Next to Durham.

Mr Stewart: Well, just before Durham, as my colleague Mr O'Toole says.

Peterborough is, I believe, the volunteer capital of the world. Certainly some of the initiatives that we have seen there, this being one of them, say to me that the municipal politician and the people involved in delivering social services at a local level are the ones who know what is going on.

It's interesting to note that the whole plan, the whole scenario of the Who Does What program, was set well in advance, being back in 1997 when that whole process was happening, and the municipalities knew that they were going to be receiving this or would have to deliver this service in the year 2000-01. That's exactly what's happening. The municipalities had three years to prepare for this, and many municipalities are indeed preparing for it now. As I say, with the number of people who are now off social services, well in excess of 500,000, the amount that is being saved within the municipalities—I believe it's now suggested to be some \$100 million—those kinds of savings, along with the support that the province is giving the municipalities, along with the CRF fund, are all going to help them take over this area of social housing, and I know they will do an exceptional job.

The one other comment I want to make before I turn it over to my colleague is that there will be transitional dollars. Our government has asked municipalities to do a number of things over the last couple of years on this Who Does What program, the reason being, as I say, accountability and efficiency. It's a proven fact that the

savings are there. When you look at the dollars that municipalities are spending in infrastructure and other programs now, there is no doubt that the province is coming through with various savings by the shifting of some of the services. This is something municipalities have wanted for many years, and this is part of the reason we took 50% of education tax off the property tax. You hear a lot of people making comments about that. There was probably not a municipal council member in the last 15 to 18 years who did not want that to happen. The reason they wanted it to happen was that there now is control or there is some policing of the number of dollars that were spent and put on to the tax base. It was nothing back a few years ago, after the municipalities had their tax rates set, whether it was at the upper-tier level or the lower-tier level, for boards of education to come and say, "Oh no, we want an extra 8% more put on," or 10% or 12%, without any controls whatsoever.

1620

I think the province has been very supportive of municipalities. Again, the key to this is that both the municipalities and the provincial government have to work together on this to make it happen. The big issues are, first of all, to have the dollars available, and second, the assets that the municipalities are going to achieve, but primary is the customer service that we have to provide for the people who need and require social services.

The final point I want to make is that there will be one-stop shopping, so that people who need this service will have one area to go to. They will get assistance to get on a list that will be prioritized, they will know where they are and they will have the opportunity to become part of the social housing program.

I indeed support this legislation. I believe it is one more leg on the plan that our province has and one more thing we are doing that says we do what we say we will do.

I am going to pass my time over now to the member for Durham.

Mr O'Toole: It is indeed my pleasure to pass some remarks on Bill 128. The member for Peterborough has covered many of the salient points; however, I think it's always important for those listening today to look at this legislation as something that has been out there and been discussed since 1995. As the member for Peterborough and others have mentioned here today, first and most importantly, it is no surprise to the stakeholder groups. There have been ongoing consultations, which I will outline in my formal remarks.

The intent of Bill 128, An Act respecting social housing, is to accomplish three things and they're in the purpose clause of the bill. It's important to know the starting point before you jump to the end point:

(1) it establishes a framework for the administration and funding of the housing programs by designated service managers; (2) it governs the provision of rent-gear-to-income assistance and special needs housing under those programs—it's important to stress that there will be special recognition for that—(3) it authorizes the

transfer of assets. As I said, these assets amount to 84,000 public housing units and 156,000 non-profit and co-op housing units as well, treating them in two separate ways in this legislation.

There is a framework here that I will probably share with the House today in my remarks.

It's a very large bill. I believe there are 10 parts to the bill, and in some respects it's a highly regulated environment. I will say at the outset that it's part of a whole process of removing some expenses off the municipal tax burden, such things as the educational portion, and moving down those things that are more appropriately delivered closer to those in need of the service.

It outlines the scope of the transfers that will be set out before the members. The Social Housing Reform Act, 2000 sets out the province's proposed legislative framework for the transfer of this important community service. Throughout the framework, the province would place responsibility for administration of social housing assets and services in the hands of the level of government requisitioned to deliver the service—

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: The member for Durham is one of the most compelling orators in this place. I would like you to check if there is a quorum present, please, to hear him.

The Deputy Speaker (Mr Bert Johnson): Would you check and see if there is a quorum present.

Clerk Assistant (Ms Deborah Deller): A quorum is not present. Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: The member for Durham.

Mr O'Toole: I thank the member from Don Valley East, because it is important to have as broad an audience as I can. I see the opposition are capably represented but not appropriately represented.

Interjection: How are they behaving?

Mr O'Toole: They are behaving, though, and that's important.

I just want to start again. As I said initially, I want to make sure that this is really a sharing-of-information portion, the few remaining moments I have.

There are 84,000 units of public housing which are owned by the Ontario Housing Corp today and operated by local housing authorities. So they are owned by the province and the delivery agent is the local housing authorities. The Ontario Housing Corp is an agency of the government of Ontario and is governed by a board of directors appointed by orders in council. This governance model is one of the important elements of change. It's bringing the decision-making closer to the people who are paying for the service. Each local housing authority is an agency of the government and is governed by a board of directors also under orders in council.

There are provisions in the regulations dealing with rent geared to income and also with threshold information for people who qualify for this subsidy. This process is to ensure a smooth and seamless transfer with no

disruption to housing providers, applicants and tenants. It's very important that tenants are not disrupted by this process at all. I see in my correspondence package that the minister has gone to some lengths to send out letters to those authorities. I think the assistant to the minister, Mr Coburn, has certainly outlined in his remarks the importance of those vulnerable people in supportive housing and people who may be under some threat of being victims in a violent situation of course receiving priority on any list. As the member from Peterborough mentioned, there would be a common priority list for people looking for openings in supportive housing and rent-geared-to-income housing.

It will simplify and harmonize the administration of non-profit housing programs and help to ensure that non-profit housing projects remain viable and can continue to provide high-quality housing services in the community.

Again, I want to stress the importance of those vulnerable elements in society. I can tell you, my reading on housing is that it is a very important social issue. I believe that housing and shelter become the fundamental piece we need to have stability in someone's life. I think there are many reports that substantiate the claim I'm making.

It provides municipalities with the flexibility to streamline administrative arrangements to better serve tenants, to meet community needs and provide best value for taxpayers. That's accountability at the front line that's absolutely critical.

The one-window approach that the member from Peterborough used I think is a very appropriate way to say how many people are on how many waiting lists and what housing supports they can get, and to make sure they have one application, a simplified process of affirming whether or not people are in need of support and how much support they are in need of.

The reform we are proposing would establish roles and responsibilities for social housing that make sense. Municipalities, the province, the federal government and housing providers all have defined, clear and important responsibilities.

I should fill out the equation here. It's important to recognize that back in November 1999, I believe it was, there was an agreement signed with the federal government, because this cascading of responsibilities really started with the federal government and the agreement signed there. They are devolving it down to the province, and the province, you can say clearly, is devolving it down to the municipal level.

But in fairness, the reality is that there are transitional issues, which I believe committees are working on. On those transitional issues, there is also transitional funding for setting up and streamlining administration. So don't think it's just handed down. By the same token, the payments the municipalities are making today are already being paid. In fact, the administrative efficiencies they are realizing may not be claimed as easily by the municipalities under the current structure. Under the new structure, any efficiencies they can glean from the pro-

cess will become, I believe, clawed back into more and more affordable public housing.

1630

Under the proposed reforms, municipalities would administer their own social housing portfolios; be able to streamline administrative arrangements within a provincial framework; own their public housing stock—a very important issue and one close to the taxpayer; continue to fund social housing; ensure that service levels are maintained and tenants are protected. It's absolutely critical that we reinforce the ensuring that service levels are maintained. In fact, there will be standards set by the province to make sure there's no one falling through the cracks. It will be as good as or better than it is today.

Municipalities would have additional powers to develop new housing programs and services. I can tell you that has been an issue in Durham over the years. Now that they get to pay for say, they will have more say. Municipalities would determine how to administer access and financial testing functions. These, of course, will be regulated as well.

Under the proposed legislation, the province would do the following: it would set standards to ensure that levels of service are maintained by requiring that the number of households receiving rent geared to income does not decline. That's important, that it cannot decline. It would ensure that basic rules around eligibility and benefits for individuals are fair and consistent across the province. That's very important. This is about providing for all of the people of Ontario.

It would flow funding received from the federal government to municipalities to assist them with the costs of social housing and report to the federal government on the use of those funds—I think there was probably over \$500 million transferred down with the federal piece—and make sure that money flows. In my remarks later on I will hopefully have enough time to disclose the amounts of money.

The province would continue to play an important role in mortgage renewal and risk management for non-profit housing, and administer dedicated supportive housing. It's very clear that the province's role will be to administer the supportive housing component.

Under the terms of the 1999 federal-provincial social housing agreement, the federal government would flow funds to the province for programs covered by their social housing agreement—so they are still involved—monitor compliance with federal principles for the use of federal funding; continue to provide mortgage insurance, through the National Housing Act, to non-profit housing projects administered by municipalities; and administer federal co-op housing programs. It's important to realize that federally sponsored co-op housing programs are not being devolved.

Of course, the providers would continue to manage their projects much as they do today. Our objective is to smooth the transition and provide for the tenants they serve.

If this legislation is passed, the province would be essentially out of the business of administering social housing within two years. The province would continue to play a more appropriate and very critical role of setting and enforcing standards.

The province would continue to manage the relationship with the federal government and ensure that the terms of the federal-provincial agreement are met. Our proposed legislation sets out federal principles and requirements for municipal reporting. The province would, in turn, compile province-wide reports to meet their own obligations.

Our goal, of course, is to ensure that social housing services continue to be available to all Ontarians at at least as good as current levels. The province's proposed standards would ensure that there is no decline in the total number of rent-geared-to-income households that are assisted. There would be no reduction in the number of units modified to meet the needs of people with disabilities.

For the first time, service level standards would be enshrined in legislation very clearly to make sure that safety is part of the decision, not just devolution of responsibility.

Proposed social housing reforms would not change the basic rules for rent-geared-to-income assistance. Many of those people with fixed incomes or with no incomes of any substance would not be offended by this legislation. Rent geared to income would continue to be set at 30% of income. Eligibility would continue to be open to those in need, regardless of where they live in this province. To ensure that the rules were clear and applied consistently across the province, we proposed for the first time that basic rules and governance governing RGI—rent-geared-to-income assistance—would be set out in legislation and regulations.

It's very fortunate that I have about four minutes left just to go through some of my notes. When I was going over this on the weekend, this struck me. This may not be systematically structured, but the transfer, as I said before, includes 84,000 public housing units that currently are kind of controlled by the province but operated by the local housing authorities, and 156 non-profit, co-operative housing units.

Also, the provincial standards, which I spent some time on: there's compliance with federal standards and there are no exemptions under this proposed bill.

The current supply of units modified for the physically disabled is very important. Included in that, the priority list would recognize that it would be a mandatory priority for applicants who are victims of violence to be recognized under the service manager's mandate to find housing.

As I've said, and I think this just bears repeating, because I know in my riding of Durham I've received over the years a number of people inquiring that they are moving closer to their family for whatever reason and they need access to housing with special needs, there have been initiatives just recently in that area.

Role and responsibilities: I think it is important to recognize, and this is something I struggled with, that the SHSC, which is like the board of directors, would consist of 15 members, including two members appointed by the minister, one of whom may be a representative of a local housing corporation; one person selected by the city of Toronto; one person selected by the council and the regional municipalities of Durham, Halton, Peel and York; one person selected by the council of the city of Toronto and the councils of the regional municipalities of Durham, York, Halton and Peel; one person selected by the district social services administration board; four persons selected by the councils of the service managers; three persons selected by provincial non-profit housing providers; and two persons selected by the provincial co-op housing providers.

What we have is a board overseeing, and that board's primary function would be of course to provide bulk purchasing or bulk decision-making where there are the economies of scale, where acting as a group to provide services and perhaps supplies there would be efficiencies recognized—and shared, I might say, with all of the participants.

I believe that this devolution started with the federal government. I think the province has had ongoing discussions since 1996 with their municipal partners and I recognize that there are transitional needs. Under that—I'm just looking for my notes here—I believe that there are two special transition funds. That's the point I'm looking for here and I will find them, I'm certain.

They're also going to propose to flow a one-time funding of \$58 million to deal with future capital funding pressures. That's one-time funding. There's also transitional funding for service managers to be able to access a total of \$5.6 million in funding that would be given to service managers to offset some of the start-up costs such as administrative, office setup, computers etc.

The province would also provide another fund, and I believe it's in a similar order of about \$5 million or \$6 million for streamlining the process. Also, it's a two-part transfer. The first part that would be transferred, I believe, is the part that was dealing with public housing. Some six to 18 months later the second part would be devolved, giving our partners more time to make the right decisions for the right reasons.

After all, it's about making services work for people in their communities, and having communities with the resources under the Who Does What exercise, to provide those kinds of supports as they see it, as they work with their constituents, whether it's a municipal councillor—and indeed I think it should pass today unanimously.

The Acting Speaker (Mr Michael A. Brown):
Questions or comments?

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I'm pleased. They say, "Everything old is new again." I can remember some 25 years ago working for a member in this illustrious place and at the same time doing my master's thesis on housing policy and chatting on a daily basis with Eli Comay about some

of the issues here. The issues seem almost the same. That was back when we were about to create the Ministry of Housing, when the then government took its housing responsibilities seriously.

I want to talk a little bit to some of the issues raised by the member from Ottawa-Orléans and the honourable member from Peterborough as well and this reference to downloading specifically. As a former mayor of a great municipality, the only municipality in all of Ontario that actually lowered local taxes six years in a row—our reward for that, by the way, was to be amalgamated with some less efficient municipalities. So when we hear words like “downloading” and “Who Does What” and “government that’s closest to the people” from the other side of the House, we get a little worried. Our people have built-in crap detectors when it comes to this kind of discussion. The honourable member from Stoney Creek knows that in the downloading exercise over the last six years—I know he’s interested in hearing this—there have been some \$80 million in cuts in grants; about a \$37-million shortfall on the so-called revenue-neutral downloading; and about \$35 million short on the issue of the business education tax.

1640

Ms Shelley Martel (Nickel Belt): I listened with interest to the comments that were made by the government members and I guess I’d make the following observations. There was much to-do about how this bill would allow us to work toward a more effective, efficient system, and I wonder if we’re all reading the same bill. As I look at Bill 128, this just provides for endless bureaucracy, endless duplication, endless intervention by ministers in terms of what can or can’t be done at the local level and does absolutely nothing to get rid of red tape, get rid of duplication or create some more efficiencies. It’s interesting how this particular bill is juxtaposed against another government bill, the red tape bill, which, frankly, for many things does the same thing.

Let’s just take a look at the scenario we’re setting up. Instead of the province administering social housing, as it has done, we’re now going to have the province watching over municipalities, and the municipalities are then going to watch over the service providers, who aren’t named in the bill. In some cases you’ve got the province which is going to police providers and it’s going to police tenants directly. You have what has been a fairly comprehensive system in terms of provincial control now being mixed in with the province and service providers and other people watching each other and different people having different jurisdictions over a number of different things.

If you look at what the minister provides for in terms of permission, again you see that what this bill really represents is endless red tape, endless duplication. For example, the minister’s permission is required before a municipal service manager can establish a system allowing two or more housing providers to jointly renew mortgage financing. The minister’s permission is required to do just about anything with respect to the assets being transferred to it, especially if the minister imposes

restrictions. The minister’s permission is required to do just about anything around rent-geared-to-income subsidy administration because the province sets most of the rules. The minister is needed for determining eligibility for special-needs housing, and the list goes on and on.

Mr Wayne Wettlaufer (Kitchener Centre): I’m a little amazed when I hear members of the opposition speak, because the one thing we did with this bill was not only streamline, not only devolve, but we also ensured that provincial standards remain in place to ensure that tenants will be protected. The protections will exist much the same as they do today.

I would like to point out that in January 1997 we announced our plans to simplify the programs. We stated then that we felt social housing was a service best administered at the local level. Many of the municipalities agree with us. In fact, this bill has been developed through comprehensive consultations. We had representatives from the social housing sector. They were the social housing advisory committee, the Social Housing Committee and the municipal reference group. They all reviewed the proposals. They all made recommendations on reform and also on the devolution. Since the minister’s announcement at AMO, the stakeholder representatives joined the various work teams established to work on the details of the transfer. This was not done without much consultation, without much input. When the members of the opposition make accusations insofar as what responsibility this is going to put onto various municipalities, they aren’t taking into account all of the input that has been made by these other groups.

There’s something else we have to look at here. We have transferred to the municipality the assets and resources—

The Acting Speaker: Thank you.

Mr Mario Sergio (York West): Evidently the government, prior to the introduction of this bill, as they normally do, did not consult with the people who will ultimately be affected by the impact of this bill. Neither were the municipalities consulted with respect to this bill. It is another intent of the government’s wanting to get out of the social housing business. The same way they did with rent control legislation, they now want to get out of providing affordable housing for the needy people of Ontario.

The last thing the municipalities need and deserve and want is the downloading of thousands upon thousands of social housing units on local taxpayers. We know and the government knows that it takes about a billion dollars to bring up to par and maintain social housing in good condition. Where are the local municipalities going to get the funds? From the rest of the taxpayers, which means the rest of the homeowners in Ontario will have to pay more taxes to compensate for the responsibility of providing affordable social housing, which this government is abdicating. I don’t think that’s being responsible.

Not only have we in the opposition been saying that and continue to say so, but you have a good, right-wing paper, the *Globe and Mail*, saying, “The Mike Harris

strategy to revive the rental housing market failed. New measures are required. The private sector is not up to the job.

"It's a bitter lesson"—for the government and Mr Harris—"but there's no point in ducking it."

By doing exactly that, they are ducking the issue.

The Acting Speaker: Response?

Mr Coburn: There are a couple of things I want to go over that are really important here and that seem to have been lost on members of the opposition, the three key points in this transition and devolution. The Social Housing Reform Act will put a vital service in the hands of those best positioned to respond to the local needs; it will allow local governments to integrate the administration of social with Ontario Works, child care and other social services to serve clients more effectively and efficiently; and third, it would put responsibility for bricks and mortar where it belongs, with municipalities.

The member for Ancaster-Dundas-Flamborough-Aldershot as the mayor, I'm sure in his consultations at AMO over the years—if he wasn't weren't part of the masses who were saying to the provincial government, "Give us more responsibility," then you were certainly in a minority back then, because they were all saying, "Get out of our face in our local communities. We'll look after it better than you can, dictating to from Toronto," and the Mike Harris government listened. At that AMO meeting he stood up and was the only one who said, "That's what you want? I agree with you. You're better able to handle it in your own local municipalities."

But it wasn't done heavy-handedly. He took 50% off the property tax base for education, and there was a transition between programs and the funding. But the responsibilities in the Who Does What—this was one of things that were better able to be done at the local level. Similarly, if you sat on your own housing board, you would have realized the pride the volunteers and the dedicated people took in sitting on those boards and the condition they kept the buildings in, in conjunction with the ministry.

The Acting Speaker: Further debate?

Mr Caplan: It's indeed a pleasure to rise and debate Bill 128 in the House today. Prior to my remarks, I want to read a section to the parliamentary assistant, because obviously he has not read the bill. Subsection 164(1) says, "8. For the purposes of subsection 66(2) (amount of geared-to-income rent), prescribing the standards to be used when determining the amount of geared-to-income rent payable by a household." For the member or any other member of the government to stand up and say it is protected at 30% is simply not true and it's not what's in this bill. I want to make that very clear at the outset. I will return and quote specific sections of this bill where no member of the government was willing to.

1650

I want to talk today about why Dalton McGuinty and the Ontario Liberal Party are going to oppose this bill, and in fact why municipalities, businesses, residents, everyone, not only members in this chamber, should be

opposed and concerned about this bill. I'm going to talk about the financial implications to municipalities, but more importantly to municipal ratepayers. Those are the hard-working families, the homeowners, the businesses that create the jobs that are going to have to bear a huge financial burden because Mike Harris, because Tony Clement, because this government is downloading housing on to the backs of municipal ratepayers. That is what this bill is all about. The Social Housing Reform Act? Nonsense. This bill is a Trojan Horse to increase property taxes on the backs of businesses and hard-working Ontario families—plain and simple, bottom line—and the members of the government know it, each and every one of them.

I stood here astounded to hear a former mayor of Gloucester, who would be hopping up and down were he sitting in that chair back in Ottawa, because he knows the implications for taxpayers. The member for Durham, and perhaps even the Minister of Education, when it comes time to pay the piper, when the bills come in, or when they come in in London—I know the members opposite are going to say, "It's your municipal council. Go talk to the mayor, the reeve or the warden. Go talk to your local councillor." But really, the only people who are going to be to blame for the property tax increase that businesses and homeowners are going to have to face are right there. They're going to be looking at themselves in the mirror every day, and it is really a shame how these Harris Tories refuse to take any responsibility for their actions.

I'm going to talk about how this bill is constructed, how it really is only a framework with very little substance. The operative sections of this bill are found at the back, not surprisingly, trying to hide them in the back of a 130-page bill. It's the section called "Regulations," governing about every possible aspect of social housing in this province: regarding financing, eligibility, everything. I can tell you that those regulations are not brought before this House. There was no public consultation on regulations. This government has a habit of making regulations, making deals behind closed doors and not letting any light of day on their plans. I can tell you that what is true and what they say today will definitely change tomorrow. This government has proven that time and time again, whether it's education, municipalities or health care, and certainly now when it comes to housing.

Finally, I'm going to try to illustrate the ominous nature of this bill by showing how the transfer will in no way positively affect the affordable housing situation across Ontario. It's interesting that we have commentators, advocates, stakeholders and residents themselves who know there is a lack of affordable housing and that there is an affordable housing crisis in the province. It seems everybody knows that except the Harris government. In this bill the seeds of housing are not only lost, but there's going to be no ability to create new housing.

They're not going to be able to alleviate these growing, massive waiting lists that are happening in Durham. The Minister of Education knows, because in

her constituency office, as in all our constituency offices, people are coming and lining up—even in Markham, Solicitor General—because they can't get housing because the members of this government are doing absolutely nothing. In fact, they're doing worse than nothing. They're downloading it on to the local level. The specific impacts of this bill are going to have a horrible impact on housing providers themselves and on their ability to provide housing at an affordable level for Ontarians.

As I said in my opening remarks, Dalton McGuinty and the Ontario Liberals are opposed to the province abdicating its responsibility concerning social housing, and there are several reasons which I'm going to outline right here. Ontario will be the only jurisdiction in Canada, and I would say the only jurisdiction I know of in the world, that is transferring housing and housing responsibilities to the local level—the only one in the world that I am aware of—and I challenge the members opposite to say—

Interjections.

The Acting Speaker: Order. The member for Don Valley East has the floor. One member may speak at a time. If you wish to speak, there's an opportunity during questions and comments.

Mr Caplan: I hope you'll stop the clock the next time that the members rudely interrupt.

I'm surprised that a caucus full of former municipal politicians would support the downloading, the off-loading, the shirking of provincial responsibility on to the local tax base—municipalities know that their tax base will not be able to handle the stress in the short term and especially in the long term—and that the province, the Mike Harris government, in this announcement has provided zero financial support for municipalities to be able to deal with those concerns.

I'm surprised that this is the first time in memory that an announcement by the Minister of Municipal Affairs and Housing did not come with a congratulatory note from the Association of Municipalities of Ontario. This alone speaks volumes about the fact that municipalities are concerned about the impact this is going to have on the property tax base.

Were any municipality to be in favour of this, the Harris government would be trumpeting it in a press release. The minister would be in this House talking about why this is such a great thing. They would have chambers of commerce and boards of trade—heck, they would even have Mr Crombie here himself. But I can tell the Minister of Education that Mr Crombie is not here, the boards of trade aren't here, the chambers of commerce aren't here, AMO's not here, the housing providers and especially the housing residents aren't here, because they know about the impact this move is going to have on the property tax base and the ability of municipalities to pay.

The minister, as usual, asserts that this is going to be a revenue-neutral exercise, but we know from previous experience that the dumping of costs on to municipalities

is not a neutral exercise. Of course, the minister is not willing to pay; he's not willing to put his money where his mouth is. It is not unusual for the Harris government to say one thing but not to be there to stand behind their own commitments. Where are the real financial concerns and potential liabilities?

As I've raised before in this House, we should all be concerned about the lack of information on the condition of the Ontario Housing Corp stock. These units are to be transferred January 1, 2001, but we don't have any information at all on what kind of shape they're in. I've heard the minister say that they have two studies. I've heard the parliamentary assistant and some of the other members talk about this, but then I heard the member from London-Fanshawe tell us how they were deteriorating. All members of this House, if they've been there, will know that the condition of the social housing stock is in horrible shape, and a 10% sampling is an attempt at deception to fool people into believing that this government takes its responsibility seriously, which they obviously don't. There has been no proper due diligence of the existing Ontario Housing Corp stock, and the minister is well aware of this.

In the long term there will be significant liabilities for municipal taxpayers. I don't come up with this stuff independently. I've previously distributed a cabinet submission from the ministry staff, who pointed this out to the cabinet, who pointed this out to the minister. They've ignored those warnings. You have to ask yourself why. Why wouldn't they even do the very basic due diligence that would be required?

It is an abdication of any responsibility. If anyone were to try to get involved in a financial deal like this, they would probably land in jail. The minister has cited two studies, one of which municipalities had never heard of, or anybody else for that matter, until this issue was raised right here in the House, and one study that the minister won't even release. What we know about the one never released is that it was done in 1998. It was a survey of 10% of the stock, and the conclusion was that it was in terrific shape.

Does anyone really believe the minister when he says that it's better than or equal to private rental stock? Come on. Any member in this House knows that this is just not the truth. I've been in contact with many local housing authorities and they tell me about the lack of available provincial dollars to bring properties up to standard. There is a real concern that some of the older buildings are 40 or 50 years old, sometimes older, and to date they have not even been retrofitted to meet new fire codes, new regulations—provincially owned buildings which have not even been brought up to fire codes. These aren't private buildings, they're not non-profit housing projects, they're not co-op housing projects; they are buildings owned, managed and operated by the provincial government since their creation.

1700

The lack of real financial attention to these buildings is solely the responsibility of Mike Harris, Tony Clement

and the Tory government. They are washing their hands of this. They are trying to throw this into the lap of, and to pass the buck to, municipal taxpayers, hard-working Ontario families, hard-working Ontario business people. All it would take is some real interest from the minister. I would be happy to take him to any housing project in the city that might not live up to his statement of "above standard." I would be very happy to take the minister over to Regent Park. I would be delighted to do that.

Interjection.

Mr Caplan: I say to the member from Kitchener, if you would like to come too, you are more than welcome, because it is not up to standard. You will see it for yourself. Then perhaps you will do the honourable thing and vote against this legislation.

Maybe the minister thinks that leaking roofs and mould are up to the standard that tenants can expect. Maybe the minister thinks that buildings that are not up to the fire code are up to the standard he expects and tenants can expect. Maybe this minister thinks that appliances that don't work, rotting carpets and peeling paint are up to the standard that tenants can expect. I'm not sure if the minister is just not interested or he has total disrespect for the tenants who live in social housing—or maybe just tenants in general—if he thinks these kinds of living conditions are acceptable.

What is of real concern is the total lack of interest of the Minister of Municipal Affairs and Housing in getting down to the basic truth. He has buried his head in the sand. It is absolutely shocking.

Why should it be up to municipalities to fund their own due diligence on these properties? If the provincial government owns them, they should rightly check into what the standard is and what the condition is prior to the transfer and undertake to provide financing to bring them up to standard. But the Harris government is nickel-and-diming municipalities. They are going to make them fund their own due diligence.

The transfer has been anticipated for some time. The member from Ottawa-Orléans said this has been going on since 1997, so it's not like the government hasn't known that this was going to happen. Yet for over three years they have just sat around, stuck their heads in the sand and persisted with the mantra, "There is no problem. We'll force it onto municipalities. We'll make them pay for it."

Why didn't the government, why didn't Mike Harris, why didn't Tony Clement or any of the members show any kind of leadership and determine to be honest with municipalities, with municipal taxpayers? I don't think it's possible, obviously, judging from the minister's conduct. The minister feels it is enough to have allocated \$100 million, for this year only, to deal with this problem. Again, the issue is that the minister doesn't even know whether this is sufficient. All he is prepared to do is to say to municipalities, "You should thank me for even being willing to spend this money, so don't come back for any more."

I'm wondering why the double standard. When municipalities faced components of downloading, like the downloading of roads and bridges, like the downloading of water and sewers, why did the provincial government come up with a contingency fund for roads, bridges, water projects and sewer projects that were in extreme disrepair? Why won't they do the same thing for housing? There is sufficient precedent for the provincial government to be able to do this.

The key to making this transfer of the Ontario Housing Corp stock work for municipal taxpayers is for the minister to put his money where his mouth is and to do two things: one, do a complete assessment of the condition of the housing stock at provincial expense. Be honest with municipalities about the state of repair or disrepair, as the case may be. Be honest with municipalities about the long-term financial cost to their taxpayers in their area. When the Minister of Education's taxpayers in Durham see their tax bills going up, at least the provincial government will have set aside a contingency fund to address that. It won't have to be borne by the Durham taxpayers, as I know the Minister of Education was saying she doesn't want to see, because that's what is going to happen. Be willing to commit the dollars past this year to correct any of the major issues that are unveiled as a result of this transfer.

Or the government could do this: ask the municipalities to complete audits and report their findings to you. That is fair; that is reasonable. If they find any problems, be prepared to discuss compensation with them. Be prepared to pay for the large costs that such due diligence requires.

I have offered two simple alternatives that this government could go ahead and fund, that this government could commit to. I say to the House, I don't think anybody should hold their breath expecting Mike Harris or Tony Clement or any of the government members to be reasonable in this respect. They are only interested in one thing, which is taking this item off the provincial balance sheet, putting it on to the backs of local taxpayers, and making them pay and pay and pay. And pay they will, with no say. Who do they think they're fooling? It will be interesting to see if the government can commit to doing that.

The financial risk of the provincially owned stock is only one small component of the mess that the Harris government is passing on to municipal taxpayers. The introduction of this bill was not accompanied by a funding announcement for capital reserves of other social housing projects in this province, and they are considerable. Many studies have shown that the reserves are severely underfunded. It was only a few years ago that the Provincial Auditor wrote about the real concerns about the levels of capital reserves held by some of the social housing projects. He was clear. He said that study was needed and that the government should consider bringing fees up to, in his word, a "safer" level.

The government did the study, all right, so part one was completed, but made a contribution to the reserves

that was far less than what was required. Even though back in 1997 the Provincial Auditor flagged this issue for the government, they didn't act. They didn't follow the recommendation. I'm not surprised. I see the minister responsible for the Andersen Consulting contract here, that literally took the people of the province of Ontario to the cleaners, and here is another case of mismanagement by the Harris government.

We should also be aware, and I know all members are—the minister is a member from Peel—of a recent study that exists out there. The region of Peel completed its own study of the housing stock in its catchment area. Their study was a technical audit of 31 buildings; each evaluated 127 building elements. Of the total stock of 47 buildings—it didn't include the Ontario Housing Corp stock in the area—they looked meticulously at every aspect and they ensured that various building types and ages were represented in the sampling process. Just to meet the bare minimum of maintenance issues, the housing in Peel alone will require a top-up to their reserves in the amount of \$27.5 million. To adequately meet the future needs of the housing stock, the analysis estimates the top-up needed to be in the range of \$57.3 million.

Peel is a really good area to look at; it is quite representative of the province. When you extrapolate the Peel numbers across Ontario, the estimate required to top up the reserves is \$1.1 billion. That's \$1.1 billion that the Mike Harris government wants municipal ratepayers, hard-working Ontario families, hard-working Ontario businesses to come up with and cough up. That is absolutely shocking, and that is one small—well, really, one large—reason why we're going to be seeing massive property tax increases.

This study in Peel and other factors leave the Ontario Liberal Party, Dalton McGuinty and myself thoroughly unconvinced that the municipal tax base can handle the cost of social housing. I think this is especially true in Metropolitan Toronto, which contains three quarters of the social housing in the greater Toronto area and 40% of the housing stock in the province. The cost to Metropolitan Toronto—I guess it's no longer Metropolitan Toronto since the forced amalgamation—and the GTA, including Halton, Peel, York region and Durham, all of those areas, is approximately \$356 million borne by the property taxpayer.

1710

We also have some concerns that the government isn't passing on all of the money it should be that it has realized from the federal-provincial housing deal signed November 17 last year. We know the government realized \$143 million more than it would have to spend on the operation of housing from signing the deal.

Mr Rick Bartolucci (Sudbury): Where is it?

Mr Caplan: My colleague asks, where's the money? That's a really good question. Here's what they've committed to, although frankly they haven't spent it.

They committed to a \$50-million rent supplement plan. By the way, they were required to plow some

money back into housing projects. They've committed \$15 million in future capital funding pressures related to the federal projects being transferred. They've committed \$9 million to transitional costs to municipalities that may or may not be eligible to receive it. So it's not even clear that municipalities are going to get their money. That's \$117 million. What happened to the rest, \$26 million? Why isn't it being passed on to municipalities?

Interjection.

Mr Caplan: The member from Etobicoke Centre used to be a municipal councillor. He would be hopping mad, he would lose what's left of his hair, if he had to figure out why the provincial government was not passing along the total amount of money that they received from the federal government to municipalities.

Hon Chris Stockwell (Minister of Labour): They are.

Mr Caplan: No, they're not, sir: \$26 million short. It has fallen into the black hole of the Mike Harris financing scheme. You never know what's going on with these guys. Why isn't it being offered to top up the capital reserves? Why is the Harris government trying to mask its spending of the federal dollars as their making a real financial commitment to relieving the housing crisis? Why would they say on the one hand they are doing something when it's clear from running their own numbers that they have no intention of doing it?

Let me talk about one of the most glaring problems of this bill: how no new housing will be created as a result of this legislation. Waiting lists for social housing are growing at an enormous rate. I know all members would be staggered by that, especially given the fact that we are living in one of the most buoyant and prosperous times in the last half century. At a time when we have such great prosperity, the waiting lists for housing, people who have real housing needs, have grown at an unanticipated, unbelievable and extraordinary rate. The provincial government cancelling all of the social housing projects that were approved in 1995 is one of the factors in why that happened. In Toronto alone, the waiting list for a family to get into social housing is 25 years. Can you imagine? The kids will all be grown up and moved out by the time they would qualify to get into a family social housing unit.

Although the bill claims to protect the levels of housing that now exist, it does not speak to expiring short-term rent-supplement contracts. In fact, the \$50-million announcement that I had referenced earlier for you expires after three years. What happens after that? This legislation doesn't have anything to say about that. It is silent. So they make these small deals, never fully intending to see it go to a logical and long-term conclusion.

Bill 128 fails to provide any new funding mechanism to provide for the construction of new housing. As everyone is aware, the minister hopes that the private sector—the Premier is talking about the private sector—will provide and take on the responsibility of creating this new housing, but it has yet to occur. The government has

not acted on the failure of the private sector to provide housing, and this bill reasserts the abdication of provincial responsibility. It is completely irresponsible for the province to take no role in a fundamentally provincial area of responsibility.

I'd like to quote from an article that appeared one week ago in the *Globe and Mail*. It's entitled "Admit it: Harris's Strategy for Housing a Flop," written by John Ibbitson. You would know Mr Ibbitson is not a Liberal. He's certainly not a New Democrat. He is, by and large, very supportive of the Harris government, but intelligently writing about provincial issues.

"Confronted with the utter failure of the Mike Harris administration's low-income housing strategy, it may be time for even the most idealistic conservative to admit that government has a responsibility to help house the poor.

"Ontario Municipal Affairs Minister Tony Clement obliquely conceded this truth last week when he addressed several hundred members of the Ontario Home Builders' Association." So even the government acknowledges this.

Mr Ibbitson goes on to list a number of facts and figures to back up his claim that Harris's housing strategy is a complete flop. It's amazing:

"While apartments accounted for 15% of new housing in the United States last year, Mr Clement," the Minister of Municipal Affairs and Housing, "acknowledged in Ontario the figure was less than 5%. In Toronto, the vacancy rate is 0.9%. In Ottawa it's 0.7." That's where the parliamentary assistant is from. In Hamilton it's 1.9%. "Rents, in the meantime, are skyrocketing."

Is it any wonder why there is such demand for housing support and assistance, why social housing lists are growing at an enormous rate?

"Even builders shake their heads as they tell stories of landlords in Toronto who have doubled their rents."

Very interesting, and I found the conclusion of the article perhaps the most interesting:

"Whatever the solution, Mr Clement and his government should come clean: The Mike Harris strategy to revive the rental housing market failed." Absolutely and utterly failed. "New measures are required. The private sector is not up to the job.

"It's a bitter lesson, but there's no point in ducking it."

You would expect writing like this to come from somebody who is perhaps liberally oriented or a member of the New Democratic Party. This is from the *Globe and Mail*, from John Ibbitson. This is a pretty damning indictment of the Harris government's housing policy: they're a flop. Yet they're going to become a lot worse with Bill 128. It's absolutely ridiculous how we need some progressive action when all we get is this regressive way.

Let me outline what some tenants are facing throughout Ontario; Mr Ibbitson referred to it. Recently a study was completed in Ottawa by their housing registry. Their data were eye-opening. Some 15,000 active files were on their registry waiting list. Some 7,800 applicants are

responsible for at least one child. Of these 15,000 files, 6,000 applications were new in 1999 and 5,000 were new in 1998. Eighty per cent of the applicants on their waiting list have an annual income less than \$20,000. In 1999 they were only able to house 2,000 applicants. Remember, 6,000 applied and they were able to house 2,000. This shows you this growing list. In fact, in Ottawa they tripled the number of people on the waiting list in two years alone. By the way, of the 2,000 applicants who were housed, 550 were priority files—victims fleeing abuse; 720 were disadvantaged status—newcomers, youth, the homeless; and 734 came from the chronological list that had been developed.

The vacancy rate in Ottawa is 0.7%, from the November 1999 CMHC study, the lowest it has ever been. In fact, in 1996 it was 4.9%. This means there were only 420 vacant units last year in the total private rental universe of over 60,000 units. Ottawa is considered to have the tightest rental market in all Canada. Rent increases were up 3.8%. Inflation was running at roughly 1% or 1.5%. Only 40 new rental units were built in Ottawa in 1999. Average rents across the region—they run the gamut, depending on where you live—are absolutely skyrocketing.

What does this legislation mean for all those people out there on waiting lists, for all those people on a waiting list which is doubling—tripling in the case of Ottawa? Absolutely nothing. Those people are going to wait; they're going to lose their housing; they will end up homeless; they will end up on the streets; they will end up in the jails; they will end up somewhere. I heard one of the government members speaking earlier about how homelessness was because of mental health issues. I'm sorry, my friend: homelessness happens because people can't afford to live in the rental accommodation that's out there. They can't afford it, pure and simple. Through Bill 128 you are ensuring this problem is going to get worse. I say to you now: stop before you make this worse. I know at least some of you care about this.

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There has also been a two-part series, a study done on housing affordability across the province. Where's Home, Part I and Where's Home, Part II were clear with the concerns of those who are not in social housing but on waiting lists. The report is crystal clear: every part of the province is affected by the deterioration of the housing and vacancy situation. It's not just in Toronto; it's not just in the larger cities like Ottawa or Hamilton or London, where the affordable housing situation has deteriorated. Data from 21 Ontario municipalities covering the last 10 years demonstrate that hundreds of thousands of Ontario tenants are suffering, and the prospects are likely to worsen unless the provincial and federal governments act, unless the senior governments are willing to come to the table. Municipalities don't have the wherewithal. They don't have the ability to support housing, and they don't have the ability to create new housing.

Rents are increasing faster than the rate of inflation in almost all 21 of the municipalities studied. With the partial decontrol of rents by this government in 1998, rent increases accelerate even faster. In Muskoka, North Bay, Owen Sound, Barrie, Sudbury—my colleague from Sudbury is here—they have some of the highest rates of rent increases in company with Toronto. Many municipalities have serious rental housing shortages. I found it interesting that where the speakers were talking earlier, among those shortages, Barrie, Guelph, Kitchener-Waterloo, Durham, Peel and Toronto have some of the lowest vacancy rates in the province.

The studies, *Where's Home, Part I* and *Where's Home, Part II*, go on to illustrate that the affordability problems for tenants are severe and getting worse everywhere. Almost half of Ontario tenants cannot afford their rent, and the rate of tenants with affordability problems has jumped in every single municipality that was studied, based on the last census taken in 1996. Places such as Peterborough, Kingston, Sudbury, North Bay, Owen Sound, Sarnia and Muskoka have the highest rates of tenants paying 30% or more of their household income on rent. When I had a chance to ask the Minister for Municipal Affairs and Housing last year, in the subcommittee on estimates, he told me and the committee that 30% was the maximum amount a tenant should spend on shelter costs. If that's the case, then one of every two Ontario tenants is paying more.

Those people are in big trouble according to the minister, but he's not prepared to do anything other than pass the buck and pass the blame on to municipalities. But it gets worse: almost one in four tenants in Ontario—300,000 households—are considered to be at risk of being homeless, because they are paying more than 50% of their combined family household income on rent. Those are hard-working Ontario families with children.

Dalton McGuinty and the Ontario Liberal party stand up for hard-working Ontario families. Mike Harris and the Conservatives are for the elite. They don't care about hard-working Ontario families. If they did, Bill 128, the Social Housing Reform Act, would never appear on the horizon.

The trend in Ontario for tenants with affordability problems has increased relentlessly over the last four census periods, and the most dramatic increase was in 1996. I await the outcome of the next census.

It is interesting, though: Peterborough and Kingston exceed Toronto's rate of tenants at risk of being homeless. I'll get to Peterborough in a minute. I see the member for Peterborough is here. He spoke earlier to this bill. It's very interesting that he didn't talk about the study of homelessness and housing insecurity in Peterborough, but I'll mention it to the House because I know the member is too afraid to talk about these kinds of problems. He wants to bury his head in the sand just like Mike Harris, just like Tony Clement. So what does this legislation mean for all of those people on the waiting lists fighting for the housing market? It means absolutely nothing.

As I said, I was going to talk a little bit about Peterborough. Here is a study done by the Peterborough Social Planning Council, *Crisis of Affordability: A Study of Homelessness and Housing Insecurity in Peterborough City and County*. I'm sure he's read this. I'm sure he understands what the implications are. Let me go on to let all of the members of this assembly and all the people who are watching at home know what this study has to say.

The local residents with low incomes clearly can't afford market rent: 60% of low-income households in the sample paid more than 50%. So remember, 60% of families pay more than 50% of their income on shelter; almost 20%, so one in five, pay more than 70%. Can you imagine what kind of choice the people in Peterborough city and county are having to make, whether they pay the rent or whether they feed the kids? Can you imagine having to make that kind of decision about your family? Can any member of this Legislature imagine having to make that decision?

One quarter of low-income households have moved four or five times over the past three years. It's no wonder; 84% of low-income households could not pay their rent for even one month if they had to rely in that brief period on their savings. Only one third of the people who are homeless were on a waiting list for subsidized housing. The other two thirds weren't even on a waiting list. One half of those who are homeless in Peterborough city and county found themselves in that situation for the first time in their lives.

The member for Peterborough might want to take his head out of the sand and do something to help the poor people of Peterborough city and county. He obviously doesn't care. Sixty-seven per cent experienced housing-related discrimination, mostly on the grounds of income or on the amount of income. Lone parents and youth households report the highest amount of discrimination.

So what does Bill 128 mean for all of those people on waiting lists fighting this housing market in Peterborough city and county? It means absolutely nothing. They can go on; they can suffer.

There have been other studies and other reports. Here's the Golden report: more than 100,000 people on waiting lists in the city of Toronto for social housing; more than one third of the applications on waiting lists have incomes of less than \$800 a month; more than 31,000 children are on the waiting lists for social housing. My God, what is happening? The current rate of placement is 17 years for singles. One of the six major barriers to overcoming homelessness is the reduction in the amount of low-cost housing.

How about the city of Guelph? I was surprised the member for Guelph-Wellington isn't here. Approximately 1,000 rent-geared-to-income apartments are needed—singles. This study, done by the city of Guelph and Wellington county office, refers to a need for emergency and medium-term housing stock for couples, families, youth and young mothers. All are identified as most in need.

The Solicitor General is here. He's from Markham. In Markham they just had a report. In fact, the current application activity in Markham: applications with dependants on waiting lists include 45 requesting four bedrooms, 233 requesting three bedrooms, 230 applicants requesting two bedrooms. Applicants with no dependants on waiting lists number 92. Seniors on waiting lists number 304. Note that the senior population is predicted to grow from 12% to 25% in Markham.

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You would think the Solicitor General would care about these things, would want to make sure that the people in Markham were adequately housed, would not have these kinds of problems. Obviously he doesn't care. There are currently almost 900 requests for rental housing listed with the housing authority and the housing corporation. It's further estimated that closer to 1,800 people are waiting for accommodation, taking into account co-op and non-profit housing lists. In fact, Bill 128 is going to make that situation even worse. You would think the Solicitor General, the member from Markham, would want to do something about it instead of supporting it. But I can tell you, Speaker, obviously the member from Markham, the Solicitor General, just doesn't care.

Finally, I would like to talk about the terms in the legislation itself—

Hon David H. Tsubouchi (Solicitor General): I don't care what you say.

The Acting Speaker: Order. It would be helpful if the remarks were addressed through the Speaker. I would remind the Solicitor General that heckling is out of order, but really out of order when you're not in your own chair. The member for Don Valley East.

Mr Caplan: I did address my remarks to you, Speaker.

Finally, I want to talk about some more specific parts of this legislation. I don't know why the Solicitor General is so negative. You'd think he would want to read what's in Bill 128. You would think he would want to understand what's happening in the town of Markham when it comes to housing for seniors, for young families.

First I want to talk about the administrative flexibility that's being given to municipalities and these DSSABs, district social services administration boards. Then I'm going to go on to speak about how the legislation may impact on housing providers. I guess I would say it "may" impact since the main features of this bill, that is, virtually every major issue that will be dealt with by Bill 128, are in regulation. It's not in the legislation. There are no firm provisions in here.

When the parliamentary assistant, the member from Ottawa-Orléans, and the members from London-Fanshawe, Peterborough or Durham got up and told you with certainty that people were protected, that is not factually correct. Those provisions are not contained in Bill 128. They are contained in regulation. This bill comprises essentially enabling provisions for the Minister of Municipal Affairs and Housing. In other words Tony Clement,

the Minister of Municipal Affairs and Housing, is saying, "Trust me." When he and Mike Harris have broken virtually every promise they've ever made when it comes to housing, they're saying, "Trust me." I don't trust him, Speaker. I know my colleagues don't trust him. I know that people across Ontario don't trust him when it comes to housing. I have real concerns about the flexibility that the province is giving 47 new superbureaucracies.

Interjection.

Mr Caplan: I hear the Minister of Labour. He's in favour of the superbureaucracies, obviously. They're creating 47 of them, if you can believe it—more bureaucracy, more red tape. Read the bill, my friends. That's exactly what happens. You are creating 47 superbureaucracies, 47 special bureaucracies that you're creating with this bill.

The government makes mention of provincial standards. I heard a number of the speakers over there say, "There are going to be provincial standards." I'd like to read to you a section of the bill—very, very interesting. It says—

Hon Mr Stockwell: Use your finger.

Mr Caplan: I'm going to use my finger. I want to get this right because, unlike members over there—they obviously haven't read this before. It says—

Interjection.

Mr Bartolucci: Ernie, you haven't read it.

Mr Caplan: He has not read it. There is no way he's read it.

Subsection 72(7) says, "When local occupancy standards are established or are deemed to be established for a transferred housing program, the provincial occupancy standards cease to apply to it." The provincial standards cease to apply if local standards come in. It doesn't matter what those local standards are. It just means there will be no more provincial standards that apply, so they could be anything. In fact, they could make it more difficult for people—

Hon Mr Stockwell: You want us to dictate?

Mr Caplan: I say to the Minister of Labour that yes, I believe the provincial government has a role to make sure there are powerful standards regarding the housing of people in this province. That had been the case for over 100 years in this province until Mike Harris and the Tories come along. I would also say it directly contradicts what the parliamentary assistant says when he says there will be powerful provincial standards which will apply. They will cease to exist.

Interjection.

Mr Caplan: There have never been standards regarding housing? It's amazing that you wouldn't know that, with your background. There have not been standards for housing? Yes, there have. These standards will usurp provincial and affect very critical matters in social housing, such as asset value, the definition of who qualifies for rent geared to income, and waiting list priorities, among others. I could read to you other sections of the bill that talk about local standards and how they apply and when they don't apply.

Subsection 72(4): "A service manager shall establish local occupancy standards." Here's another one, subsection 73(4): "A service manager may establish local priority rules for rent-gear-to-income assistance and local rules take effect on the date specified by the service manager."

So if they're deciding who qualifies, who is eligible for housing, what is the provincial role? That's quite clear. These new superbureaucracies have been given the new responsibility of setting up a new and separate system to deal with what they call special-needs housing. It's currently administered by the Ministry of Housing. There will be inevitable chaos. It is something the provincial government itself has been unable to organize. What they're doing is they're saying, "We can't do this. We're going to throw it into the lap of the area of Orangeville, and now you have to go ahead and deal with it. You go ahead and merge the list." I'm telling the member from Orangeville, from Dufferin-Peel, there's no way they're going to be able to handle that, no way they're going to be able to accommodate that. They're saying to 47 superbureaucracies, "Set up the system yourselves. Try and do it," in 47 different ways, what the provincial government, with all the powerful legislative tools, with all the financial muscle, couldn't do. In Stoney Creek it's going to be a disaster as well. It makes little sense and it really seems, to me at least, to be a recipe for disaster.

Here are where some of our concerns lie in the area of flexibility, the way these lists are going to be administered. As an example, it's going to vary from jurisdiction to jurisdiction. Let me highlight it for you this way: you have a municipality, let's say, just outside the city of Toronto which decides that they no longer wish or they don't have the financial wherewithal to be able to house people in their housing projects. They change the asset requirements or the priority requirements. They change some of the ways that they can, through local rules in this bill. So where are those people going to go? They're going to go to York region, or they'll go to Halton, or they'll go to Toronto. So what are those municipalities going to do? They're going to change their asset limits, they're going to change their eligibility requirements, and they're going to force people to move from place to place to place. It is, in fact, ethnic cleansing of the poor. That's what in effect will happen.

There's one really interesting section that is specifically in here which does not prohibit it. It is subsection 73(7). It says, "A priority rule cannot rank one household in priority to another household just because the former resides within the applicable service manager's service area and the latter does not." So if you live outside a particular city, the city of Toronto or the city of London or the city of Stoney Creek—

Hon Mr Stockwell: On a point of order, Mr Speaker: I'm hoping the member didn't say what I thought he had said with respect to accusing the government of "ethnic cleansing of the poor." I mean, it's hard to believe, if

that's what he said, and I presume he's going to withdraw the remark.

The Acting Speaker: I didn't hear it. Member for Don Valley East.

Mr Caplan: I did say it, but I'm not withdrawing it.

Interjections.

The Acting Speaker: It may be prudent to withdraw, but I don't think I'll demand it.

Mr Caplan: I withdraw, Speaker, but I can tell you it is definitely an unsavoury aspect.

Co-op housing providers in Toronto may have the ability to maintain their own waiting lists, whereas co-op providers in Ottawa may have to add their names to the chronological waiting list, thus delaying people by years in the administration of their project. Things will vary from one place or town to another.

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As I mentioned earlier, how about the issue of local occupancy centres overriding those of the province? If a municipality wanted to make its housing portfolio less attractive than that of its neighbouring area, it could change the number of people allowed to reside within a certain size of apartment. It could change the number of rooms that a family was entitled to reside in. It could make living conditions considerably less bearable than those in the neighbouring municipality, and thus try to drive people off their waiting list into their neighbour's.

It can only lead to one thing: a downward spiral, a race to the bottom. It's a domino effect, pitting one municipality against another. The province needs to set clear, unequivocal and strict standards, and show leadership to municipalities on how to deliver services in a fair way—not in a way that allows them to slash and burn and compete against one another to get to the bottom.

This is another Tory bill. Of course, there's another reference to a fraud squad in here. That stuff has been cleaned up over time, as lists were centralized, but of course you have the gratuitous shot in here; it has to be in here.

There are issues for the housing providers themselves and I want to try and highlight some of those.

Standardized agreements: right now in the province of Ontario there are legally binding contracts, operating agreements between the federal or provincial or municipal level of government and the housing provider. The Harris government obviously doesn't believe it should have to honour those agreements. In this bill, they are abrogating each and every one of those agreements, rewriting those agreements to suit themselves, and they are putting it in here.

There is one section in those agreements which I find really interesting, and I wanted to share that with the House. When it comes up with the idea of subsidy, there is a very complicated formula that they use in here. You'll find it on page 65 of the bill, in subsection 98(2), under "amount of subsidy." "E" is the amount equal to 50% of the amount of the provider's surplus for the fiscal year in respect of its housing projects in the service area,

or such lesser amount as the service manager may determine."

Let me see if I get this right. If a housing provider is adequately managing—in fact, managing better than they had thought—and generates a surplus, they have to give half of that surplus away to the local district manager. Correct me if I'm wrong, but there is no longer any incentive at all for a housing provider to generate a surplus, because they have to give it away. What you get is the kind of situation that you had in the past at school boards, at municipalities, hospitals and other transfer agencies. When it comes to the end of the year, if there is any money left in their budget, they have to go ahead and spend it all, whether it's budgeted or not.

This is a government which likes to pride itself on being businesslike. This is perhaps one of the most bureaucratic and inefficient ways of doing business that they could possibly put in here. It's a real contradiction about what Mike Harris and the Conservative government say and what they do when they would put a provision like this in a bill.

It's very interesting as well that they want to share the surpluses but they're not willing to share the deficits. It's very interesting that that provision is not in the bill.

The province continues to be responsible for mortgage renewals and risk management and the distribution of federal dollars. That's in a section under the social housing services committee that was referred to earlier. I was interested to hear the comments from some of the earlier speakers when they said this board was going to do some things. The Social Housing Committee which originally met recommended that if there was to be this provincial board, they should be responsible for managing risk and for mortgage renewals and for the distribution of the federal dollars, and the province should be responsible for the other things set out under the objects for the Social Housing Services Corp. Well, the Harris government, in whatever perverse wisdom and logic, turned those two around. They're now taking control of risk management, of mortgage renewals and of distribution of federal dollars. I suspect it's because they want to skim some of the money off. I suspect it's because they want to keep some of those dollars for themselves. I suspect it's because they don't want the money to flow on to municipalities, on to the local level.

In fact, the creation of the Social Housing Services Corp is a bit of boondoggle. This body, whose board is going to be composed of a majority of municipal representatives, is overloaded for the GTA. I see members here from across the province, certainly from the north, from the Niagara region, from the southwest, from the east—

Interjection.

Mr Caplan: Well, if you think it's acceptable that a provincial board is going to be dominated by Toronto people—and I know that the member from London-Fanshawe said, "We don't believe in Toronto solutions"—read your legislation. Gentlemen, you just created a GTA-dominated committee. It makes no sense.

It's going to be responsible for group insurance, for pooling reserves, for ongoing benchmarking, for best practices, for creating opportunities for cost savings. The member from Owen Sound might think that's a great idea to have it centred in Toronto. I know that there have been so many good decisions made to favour Toronto, and Owen Sound or other areas of the province have not done as well, but maybe that's the *modus operandi* of the Harris government. Those are some of the issues with the roles.

There is no indication of what the provincial government's initial benchmark of funding is going to be. There's been no consultation with the providers. The only tool the government is going to use, I think, to offer up to the municipalities is to set those benchmarks at such a level that it's going to really cut into the kind of programming offered and some of the ability of the housing providers to provide housing.

There's something else that's very interesting. It's something called targeting. What will happen is, under subsection 93(1) "the Minister shall establish a targeting plan for the housing project and shall give written notice." It's very interesting that it's not what exists today. It's not the number of units that are there, but it's the minister deciding by fiat what is going to exist.

There's one other concern, which is how housing providers are going to operate. There's a clause in the bill that says—I was looking for it; I lost my mark—there will be a penalty if the provider fails to operate a housing project properly. There's no definition of what "properly" means or who decides or how that is administered.

This is incredibly unbusinesslike. This is bureaucratic; 47 superbureaucracies.

Just in conclusion, because unfortunately I'm down to the final minute or so, this bill is a financial nightmare. It is a property tax increase for ratepayers, for homeowners, for hard-working families, for businesses across Ontario. The provincial government is saying, "Trust me. Trust me with all of these regulations. Trust us to make the right moves." I don't trust them. I know the people across this province don't trust them.

This bill, Bill 128, doesn't have any particular substance. It will not allow for the creation of any new housing at a time when we have a housing crisis in this province. This bill is an abomination. It is time to stop the downloading. It is time to stop shirking provincial responsibilities. It is time to stand up and say that housing is a priority and that the province will come to the table and that it will put its money where its mouth is.

Dalton McGuinty and the Ontario Liberal Party will not be supporting this bill.

The Acting Speaker: Questions or comments?

Ms Martel: I think that municipal taxpayers right across the province ought to be awfully concerned about the implications of this bill which are, in fact, that the upgrading of social housing is going to fall directly back on to those same municipal taxpayers.

I listened earlier to some of the Conservative members try and say publicly that there was wide consultation on this bill, and they would give you the impression that there was also wide approval with respect to the terms and conditions of the bill that is before us.

I, for one, find it hard to believe that most municipalities are very enthusiastic or support the fact that they now have become liable for financial repairs, for future repairs of the housing stock. I find it really difficult. In fact, I don't believe that municipalities are supportive or enthusiastic at all of having that cost downloaded on to them and then, in future, on to their municipal taxpayers.

1750

The bill makes it really clear. In subsection 46(2), it says, "A transferor"—that means the province of Ontario—"is not liable to any person for the state of repair of an asset transferred by a transfer order and is not liable to any person to fix such an asset, despite a requirement otherwise imposed by another act or a rule of law."

So it's very clear that the liability for future repairs rests exclusively with the municipalities. I heard some government members try to talk about some of the investment that the government has made, but it's clear from the study done in Peel that the investment that was made is far outstripped by the costs that are out there for the upgrade of that capital asset, and that in fact, over the next number of years, the bulk of the costs for that upgrade are going to fall on our municipalities.

Mr Brad Clark (Stoney Creek): It's my pleasure to rise and respond to the member from Don Valley East as a member of the Chicken Little party. Apparently they continually cry, "The sky is falling," on everything this government does.

I recall—and I want to remind the viewers at home—when we talked about downloading land ambulances, the Liberals screaming and crying, "Woe is us," that all of this was going to happen to municipalities: we've downloaded such horrendous costs on the municipalities and all the ambulances are going to be privatized. Lo and behold, that didn't happen. As a matter of fact, the ambulances were privatized and the majority of the municipalities have brought them back to the public sector. In Hamilton-Wentworth alone, they've saved \$2 million doing it. The members of the Chicken Little party who continue to cry, "The sky is falling," whenever we do any of these restructuring issues are completely wrong.

The member also mentioned downloading—that big, bad word. The government does downloading. They talked about the downloading costs to the municipalities. I want the member to listen very carefully. Hamilton-Wentworth, this past year, had a \$23-million surplus. The year before, it was a \$17-million surplus. If there was such horrendous downloading, wouldn't there have been a deficit? I don't see a deficit. I see a surplus, because attached to that was lots of room for manoeuvring for the municipalities.

So while the member from the Chicken Little party continually harangues us about the fact that we're downloading and putting such horrendous pressures on the municipalities, he should also put the facts out there that we're offering the funding to go with it, that we're making sure the standards are there, that we're meeting the needs of the municipalities and the residents who live in not-for-profit housing.

Mr Bartolucci: I stand to congratulate my colleague from Don Valley East on the excellent presentation for the entire hour he spoke about the facts of this particular bill. He spoke about the horrendous costs that municipalities are going to have to accept because this provincial government wants to abdicate its responsibility for social housing.

I want to congratulate the member for outlining, in different regions of Ontario, how this government hasn't addressed the problem of social housing and now is trying to wash its hands of it. I would suggest to you that the Association of Municipalities of Ontario certainly hasn't come out in support of this, regardless of what the member from Stoney Creek might say. In fact, the president of AMO, Ann Mulvale, has indicated her approach should be and will be that the government should upload as opposed to download to municipalities.

There is a time when enough is enough. Clearly, the time has come for this government to understand that it has downloaded all it can to municipalities. The municipalities cannot bear any more.

I worry about what's going to happen to the property tax base in Sudbury because of this downloading, and also because of the \$24-million price tag which has been what the chair of the transition board is saying is the cost of restructuring in Sudbury. I suggest to you that unlike the member from Stoney Creek, I am concerned about what happens to our property tax base in our municipality, and that's why I will be with my colleague from Don Valley East and will not be supporting this bill.

Hon Mr Stockwell: I guess we have to deal with the fundamental principles to begin with. This program was really begun under the Liberal administration with respect to social housing and the growing of the social housing portfolio under Mr Curling in the Liberal regime and it grew and expanded under the NDP.

The problem I have with it is that it just wasn't working. Anyone who was involved in at least Toronto politics and the social housing program within Toronto knows it wasn't working. First off, the waiting list was growing and growing. Year over year it would grow. Every year it would get higher. Vacancy rates were nowhere. There was not any opportunity for anyone to go anywhere, and if you represented a riding in Toronto you knew full well that the communities around these projects had nothing but trouble with them.

Interjection.

Hon Mr Stockwell: There was always confrontation—you can shake your head; you obviously weren't elected—because I spent a lot of time trying to mediate disputes and concerns between the social housing compo-

nent and the communities that were around them. The status quo wasn't working. It was costing us \$1 billion a year in interest payments just to pay. You'd never see that money back. That was just \$1 billion a year gone. So the frustration was obviously high. The status quo wasn't working.

Every step we've taken to change, manage and adjust the social housing component in this province has been resisted by those opposite. I understand you're opposed. You prefer the old system, which frankly created a ghetto-like setting in my riding for the social housing projects that were underfunded, that were losing money, and the costs were spiralling out of control.

What this administration decided to do was to deal with the issue, and constituents were asking us to deal with the issue. You want to know the sad part about it? People who lived in these projects were asking us to deal with the issues, so we did.

On the passdown, the costs the municipalities are incurring are easily offset by the provincial commitments, plus there's going to be a management side of—

Interjections.

Hon Mr Stockwell: Mr Speaker, with great respect, the cackling from the bombastic members opposite seems obvious, but I have been trying to explain to them. The fact of the matter is that when you can amalgamate the two systems you have efficiencies, you have savings. You've got a certain amount of money that was being spent provincially and a certain amount municipally. By blending them together, there have got to be savings.

The member opposite suggested there are surpluses, there are potentials for savings. I am arguing that the status quo didn't work.

The Acting Speaker: Response?

Mr Caplan: I'd like to thank the members from Nickel Belt, Stoney Creek, Sudbury, and from Etobicoke Centre the Minister of Labour, for their comments. Perhaps I'll deal with them in reverse order.

The Minister of Labour says we have to deal with it. What a strange way of dealing with it: trying to hand it off to somebody else. If that's your idea of dealing with it, I want to see what your notion of responsibility and accountability is. Frankly, sir, creating 47 super-bureaucracies is a madness. There's absolutely no justification for going ahead and doing something like that. But also to say that this stuff wasn't working is blatantly wrong. You're blatantly wrong. It's unfortunate, Speaker, that I can't use all of the vocabulary because some of it would be unparliamentary.

To the member from Stoney Creek I say that the notion that the portfolio that's being downloaded is just fine—you should ask the city of Hamilton. When it came to inspect the roads and bridges and the sewer mains and the waterworks, they found out that the provincial claim that everything was in good repair was wrong and in fact established considerable funds in reserve. But when it comes to the same case for housing, the provincial government has established nothing, virtually nothing.

Your government's whole plan is to in fact transfer the responsibility and the cost on to hard-working families, on to businesses, on to everybody else but yourself to get the province out of living up to its responsibility. That's very sad, because leadership is taking responsibility and having some accountability, and that's what you're running from.

The Acting Speaker: It being past 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1801.

Evening meeting reported in volume B.

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of Ontario**

First Session, 37th Parliament

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Première session, 37^e législature

**Official Report
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(Hansard)**

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Monday 16 October 2000

Lundi 16 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Resuming the debate adjourned on October 12, 2000, on the motion for second reading of Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts / *Projet de loi 119, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.*

The Deputy Speaker (Mr Bert Johnson): In rotation, we will go clockwise. Further debate?

Mr R. Gary Stewart (Peterborough): It's my pleasure tonight to be able to speak to this bill. I'm going to be speaking, first of all, on the bill but more so of what red tape did to the economy of this province over the last number of years. If we are going to continue moving this province forward as we have been for the last five years since our government became the government, it was identified very quickly that red tape had to be eliminated or reduced if we were to move the economy along, if we were to create those jobs we knew had to happen.

Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts: I guess one of the keys of that title is, number one, better management. Better management, whether it be in the private sector or the public sector, it is imperative that that happen if again we are to create those jobs, to create that wealth in this province and if Ontario is to continue to be the engine of the economy in this great country.

The other thing that is imperative and is labelled or identified in the act and in the title of the act is "to improve customer service." I always remember a little logo that we had in a company that I had, and that was, "Can we be of service to you?" I think it is so imperative that we identify that the people of this province are indeed

our customers. Yes, they foot the bill through their taxation and, as we know, there's only one taxpayer, but certainly it is imperative that customer service be done.

All of the amendments in Bill 119 are based on concerns and suggestions from both the public and the private sectors. Certainly we must continue to consult. If you look at the red tape and the regulation that has been created in this province over the last many years, it has had a major concern with—and I want to emphasize this—both the public and the private sectors. We have to make sure that we listen to those concerns and identify them. I think this is one thing about the red tape secretariat, and certainly many of us in government, that we are going to the private sector and indeed the public sector and saying to them, "What is causing you problems? What regulations are in place that are deterring job creation, job growth? What is deterring the protection of the environment? What is deterring the improvement of the economy? What is deterring the accountability of industry?" Those are magic words, but those words are so important if this province is to continue to move forward as it has in the last five years.

1850

Certainly we must and will continue to reduce administrative delays by reducing red tape. We have to clarify the regulations and standards, and they have to be clearly identified. There is nothing worse than reading a bill and there is so much mumbo-jumbo in it written by, I hate to say it, a lot of bureaucrats and lawyers who are trying to make it extremely difficult for the average, rank-and-file person in this province to understand. It's written by a lawyer, and you've got to hire another lawyer to interpret what that lawyer was trying to say, and then you're not sure whether there might be another interpretation so you've got to hire another one. No disrespect, Minister, but I was in business long enough to know there is nothing worse than some of the regulations and things that are involved in doing business.

We've got to make sure we make it as easy as possible, with the protections in place, to do business in this province, because there is absolutely no doubt that in the last five years, Ontario has been open for business. I want to compliment the Premier on the establishment of a permanent red tape secretariat. It is one more indication that the commitments the Mike Harris government made are being carried through.

There are certainly a number of sections in this bill. It deals with some 11 ministries and has amendments and changes that I believe will indeed cut down red tape and,

of course, make it easier to do business and improve customer service. A couple of areas I want to identify and talk about are the amendments proposed by the Ministry of Natural Resources. In that section some nine different acts have amendments that, if I may comment on a couple of them, it is very easy to see will enhance what we are trying to do.

The first one is the amendment to the Aggregate Resources Act. One of the changes in this enables the minister at any time to add, vary or rescind a condition on a wayside permit. There is no comparable mechanism similar to aggregate permits or licences to make amendments to the site plan following issuance. Currently, if a change to the site plan is required, the applicant must submit the application with the proposed changes and undergo the application process. It is absolutely ridiculous to have to do that when you've already been approved.

For those of you who may not know what a wayside permit is, a wayside permit—it might be a gravel extraction—is issued for an improvement on a road. It is based on the particular job it was identified or licensed for.

Subsection (31) requires that a wayside permit expire on the completion of the project in respect to which it was issued or 18 months after its date of issue, whichever occurs first. Many road construction and maintenance projects require more than 18 months to complete. These types of wayside permits are extremely important in what you might say are more remote areas or areas where road construction may not necessarily have a lot of licensed gravel pits in the immediate area. They would licence these wayside pits, first of all, to keep the cost of road construction down. But as I said, they were for a specific job.

The 18-month limitation: as you know, due to weather conditions and costs, the job sometimes has to be extended. This 18-month limitation has created unnecessary red tape by requiring the applicant, which is often, believe it or not, the Ministry of Transportation, to apply for a new permit and again fulfill the requirements of the provincial standard. Consequently, additional costs and delays are being incurred to complete the project. I think this is one of the keys: why would we want to create additional costs to the ministry, which is doing the job, because the project may have been within that 18 months, and another couple of months, if it was extended, could indeed make sure the job was completed and that it would be done within the tender price or within the cost that was indicated?

Also in this section is the fact that we want to make sure the proposed amendment is consistent with the intent of the legislation—and indeed it is—and will have a positive impact on environmental protection. Certainly environmental protection is a priority of this government, and we want to make sure in any amendments or changes to legislation that we make, the environment is indeed protected.

This is strictly an administrative amendment, and it would require a licensee or permittee to notify MNR and

the trust of a change in address within a specific time. That sounds like a menial type of thing to have to do, but why should the government have to run after people, checking out titles etc at its expense? Whether it be the MTO or a private operator, if you want to continue to carry on business, then you should do it in a professional, businesslike manner and make sure the province is well informed of the requirements.

I believe all the amendments in this case are to improve customer service for the people we're doing business with. I also believe the amendments will support improved compliance with rehabilitation of expired or revoked permits and reduce workload, costs and unnecessary administrative delays to government and to industry. I want to emphasize that it cuts down on costs and it cuts down on unnecessary administration and delays, which is so important if you are to do a job that will come in under the price it should and offer good customer service to the people of this province.

Another amendment that's coming through is to the Crown Forest Sustainability Act, which provides for the regulation of forest planning, public involvement, information management, operations, licensing and trust funds for reforestation and processing facilities such as sawmills. In northern Ontario, and in southern Ontario as well, the forest industry is a very important part of the economy of this great province.

The legislation in this section also has remedies and penalties for non-compliance. If you look at some of the legislation and regulations that have happened in this province even the last couple of weeks, I believe the amount of change in penalties will deter people from trying to vary, for lack of a better word, the laws and regulations of this province. I think it is extremely important to make sure we have those things in place.

1900

Some of the specifics of the act are to broaden the definition of "forest resource" to include parts of a tree and residues produced from the tree. What we're trying to say is to look at the big picture, and at the start of my comments we talked about management. If you're going to manage something, make sure you look at it well. I often think of the term "waste management," and in the past government said, "If you're going to look at waste management, you only look at a few things." That is no management. You've got to look at the big picture, the entire program.

One of the things it does is provide for entry on to private lands in those situations where such entry is necessary to gain access to landlocked crown land, and we know that happens. Certainly in the past that's happened, possibly because of some poor planning, but those are some of the things that should happen.

It also allows the ministry the means to obtain compensation when they seize and detain forest resources.

One of the things I want to make very clear is that the amendments to this red tape bill are based on the concerns and suggestions that have been put forth by staff and, particularly in the last bill, the forest companies and

indeed the public, to make sure that they realize that any changes will be good changes, will be positive changes and will continue to move the province forward. It will continue to make sure that we create those jobs that are necessary if this province is to continue to move forward. And, indeed, this province has moved forward tremendously over the last five years and under the leadership of Mike Harris, our Premier.

I'd also like to mention one thing. If you look at the list of red tape commissioners, and I know if I mention some of their names I'll probably forget one or two, there is the member for Durham, Mr O'Toole; the member from Lambton-Middlesex, Mr Beaubien; Mr Kells. It is now being chaired by both Mr Wood, the MPP for London West, and former MPP Mr Sheehan. You have both the public and the private sectors involved as co-chairs of this so that we get a perspective from both public and private.

Marilyn Mushinski is a member, and I am very pleased to have been appointed and part of it for the last four years. Mr Johnson from Perth-Middlesex is also a member, and he has many positions in this House that are most commendable. We believe that it is very important to have this calibre of people.

One of the things I want to emphasize is the fact that the Red Tape Commission is out there asking, "What can we do for you? What have we done for you so far? Let us tell you what we can do. Let us suggest that we can do additional things for you."

I often think of what the late John F. Kennedy said, I believe, which is, "What can we do for you? What service can we offer? Can I be of service to you?" That's what the Red Tape Commission is all about.

We want to hear from you. We want to help you and your red tape problem. After being in business for a number of years, I can assure you there are red tape problems. The commission is a focal point for small business regulatory concerns in this province, and we encourage the commission—or I do and I think my colleagues will agree—to continue to challenge unnecessary red tape.

Let's talk about the paper burden, and I know that my colleague who will be speaking after will talk about it. Our goal is to provide Ontarians with service and regulatory excellence second to none in the world, and I believe the commission will have the support of all Ontarians if we can continue to make this great province move forward as it has in the last five years.

Mr Ernie Parsons (Prince Edward-Hastings): It is indeed my pleasure to speak to this bill. I wish I was in better shape than I am to carry this Bill 119, with the number of pages to it. It's a massive document. If there is any hope at all that the public is to understand it—

Interjection: Work out.

Mr Parsons: Yes, I should probably work out, but I watch the others jump to conclusions and I get my exercise out of watching them do that. This is a massive bill that is intended, I think, in some ways to make it very difficult for the public to understand.

Interjection: Omnibus.

Mr Parsons: Yes, it's an omnibus bill, and I like the way the member from St Catharines refers to them as "ominous" bills, and I think that's probably a very realistic term. When you try to put this much material into one bill, there has to be somewhat of an objective that they can conceal changes. Certainly we've heard that the intent of it is to improve certain legislation helping industry, and I will be speaking to this at more length shortly, but I believe it also has the effect of making life more difficult for the average person and it continues this government's trend of trying to conceal legislative changes.

The title does not infer in any way what the bill actually includes, and so groups in the communities in our province who want to respond don't have a flag to alert them that there is going to be a change. If the bill were entitled "A change to the Tenant Protection Act," people would understand that, but the title of this bill, "An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts"—what does that mean? How does the general public get any sense that is of concern to them? Who's opposed to promoting good government? Everybody in the province obviously wants good government and they want it soon, but this bill won't do it.

Mr Bob Wood (London West): I was a little concerned that the member for Peterborough omitted a very keen member of the commission in his remarks, namely the member for Peterborough, who brings much wisdom, experience and helpful guidance to the commission. I'd like to offer public congratulations to him for the work that he does on the commission.

I'd also like to congratulate him for the comments he made about better customer service. I think, as a government, the Ontario government has not been particularly good in the past in giving the priority that we should to better customer service for the people of this province, and it's not something that you can flip a switch and achieve overnight. But it is something that you can work on day in and day out, year in and year out.

I think that over the past five years we have made some significant progress in improving the service that we're able to offer the people of this province. I think over the next few years, if we as MPPs are prepared to offer the kind of leadership that's needed, we're going to see a considerable improvement in customer service that our people do receive and can rightly expect to receive. In doing that, we've got to look at some new ways of offering that service, and I think electronic information processing offers a lot in that area so that we can get to a lot of services being offered 24-7, the way they are in the private sector now.

I'd also like to congratulate the member on talking about how cutting red tape attracts investment and jobs. That is a message that's so key. Other jurisdictions in the developed world understand that; they're out in the field explaining to investors and business people that they understand the kinds of problems they're going to run

into and are prepared to deal with them. It's very important that we, as a province, convey that same message so that we can create more jobs and more opportunity here in Ontario.

Mr Michael Bryant (St Paul's): I listened carefully to the remarks from the member for Peterborough. He made reference to something that John F. Kennedy said. All of us quote and misquote and ultraquote. I'm not holding the member accountable for the quote, but what he said was that JFK said something to the effect of, "Let us know what we can do for you." Of course that wasn't JFK's quote. What he said was, "Think not what your country can do for you; think what you can do for your country." The point was, JFK's legacy was to a large extent one of service. It was one of giving people confidence in their government, inspiring people to get involved in politics on both sides, either for or against his particular agenda. It was very much a positive message, obviously. It was a message of service and it was a message of bolstering our public service.

1910

The ultimate irony is—so I think it might have been a Freudian slip—this red tape bill. It's not the good-government bill; that's not what it's called. The marketers in the government offices have decided there's some political capital to be gained from denigrating government. That's what they said in the throne speech: that they're not the government; they've come here to fix the government—the ultimate plumbers, I suppose, of provincial governance. They don't call it the good-government bill. Instead, they call it "the cutting red tape act." They don't talk about accountability; they bring forth an act called "fewer politicians." Again, contrary to the whole spirit of JFK—and I didn't invoke his name; the member for Peterborough did—this government is going out of its way to denigrate government at every turn.

Smaller government, better government, more efficient government: these are values on which most Ontarians agree. Denigrating government is this government's legacy.

Mr Gilles Bisson (Timmins-James Bay): It always amazes me when I see the government come in with what they call red tape, because they do this in the guise of telling us that indeed this is going to make Ontario run better and we're all going to be much better because of all the red tape this government is cutting. I, like other members around this House, was here in the last session and the last Parliament where the government introduced other such measures of red tape. A little thing that they cleaned in order to streamline government, for example, was changing the Environmental Assessment Act in order to allow them to dump Toronto's garbage into the Adams mine. If I remember correctly, they didn't call it the red tape bill at the time, they called it an omnibus bill, and they brought in legislation that allowed, basically, the transport of garbage out of the city of Toronto into any other municipality across the boundaries, something that we under the NDP government stopped by way of law.

I remember another thing they did in order to make government work smoother and work better. They brought in another red tape bill and they said, "We're so smart we're going to make all this work." They made changes to the Mining Act to allow mining operators to insure themselves when it comes to any damages they may cause by their actions within the mining operation. The larger companies of this world, like Inco and Placer Dome, I don't think we have to worry about. They've got a corporate image, I would hope, that they want to protect. But allowing some of the smaller operators to self-insure means that the crown doesn't have the type of insurance it needs. If this mining operator were to create an environmental disaster, who would be left paying the bill? It would be us, the taxpayers, again.

I just say, "Buyer beware," when the government brings red tape into the Legislature and says they're doing it in the guise to make government better. I know, as the people of Walkerton and many other places across the province know, what that means: it's another disaster waiting to happen.

The Deputy Speaker: The member for Peterborough has two minutes to respond.

Mr Stewart: I may have misquoted John F. Kennedy. I probably did that, but it's just a darned shame that John F. Kennedy and a few more Liberals don't ask the people what they can do for them. I'm very pleased and privileged that we're going out and consulting and asking the people, "What would you like? What are your problems? What are your concerns? How do we enhance accountability? How do we enhance efficiency? How do we enhance effective government?"

The member for Timmins was talking about red tape. Let me tell you this: when the NDP was in government for five years, to establish a landfill they changed the criteria five times. You talk about red tape.

Interjection.

Mr Stewart: Fact: I was there; I know it. Five times they changed it, and now they are suggesting that we are creating red tape.

I can tell you this: if we are to continue to create jobs if we are to continue to have the robust type of economy we have now, if we are to continue to get people off welfare—and we're doing all of that—then I suggest to you it's because of the policies this government has created as well as many of the red tape things we have done.

Yes, we've got a long way to go. All you've got to do is try and do a few things in this province, for those of you who sit back and do nothing. But for those who want to be progressive and try to do a few things, you will find out what type of red tape there is. I suggest to you that all of that red tape has been created by your two governments over the last 10 or 15 years.

Interjections.

The Deputy Speaker: Order. If there are two of us standing up, one of us is out of order and it's not me.

There's talking going on back and forth. I would like to suggest that you tiptoe across and whisper in the other

member's ear or you will be asked to leave. It's not required and I won't allow it.

Mr Stewart: On a point of order, Mr Speaker: Just because of your stern reply to the people across the way, is it possible that I could get another two minutes?

The Deputy Speaker: I was going to say there's nothing wrong with having aspirations and dreams, but in your dreams you would get another two minutes.

Further debate?

Mr Parsons: We've seen a number of runs tonight at trying to remember exactly what the quote was that JFK gave, and I hope we've now settled on it. I believe he said, "Ask not what your country can do for you; ask what you can do for your country." For the students out in the province who are reading and trying to reconstruct exactly what happened, I hope that's beneficial in some way.

I appreciate the opportunity to speak to this bill. As I mentioned a couple of minutes ago, I think the title is misleading. In fact I'm not exactly sure, when we talk about red tape, what red tape is. Red tape can be very bad if it's paperwork that generates a cheque that comes to your home once a month. So, by definition, red tape I think is in the eye of the beholder.

I did find it interesting, though: a group spoke to me that wished to appear before the Red Tape Commission and they had to fill out 15 pages of red tape in order to appear before the Red Tape Commission. I thought there was a little bit of irony in that, but nevertheless I'm sure there was a sound reason for it in someone's mind. Perhaps the Red Tape Commission in its next bill could examine the Red Tape Commission and introduce some efficiencies into it.

I appreciate the objective of reducing costs, I'm sure everyone does, but it is a compromise between reducing costs and preserving service. Quite frankly, democracy costs money; dictatorship is relatively cheap. But we believe that the people of Ontario are prepared to pay the money that ensures we have democracy.

Let's look at some of the effects of red tape that has been reduced over the past four or five years. We've seen all that red tape reduced that was used when the testing labs for water sent their reports to the Ministry of the Environment. The Ministry of the Environment sent copies to the medical officer of health and to the city or the town. There was paperwork flowing all over the place, telling each other what was going on, and the forms were in four or five parts. That was considered waste. I'm not sure it's considered waste any more, but we reduced what's perceived as red tape there.

Special education in Ontario used to work on the basis that parents knew their children, teachers in the school knew their students, and school boards, being right in the community, were able to make good decisions as to what children needed in the way of education.

920

This government has not reduced the red tape, but has in fact complicated it to where every child who is

identified by a school board as needing special education has to have a portfolio put together, which is sent to an anonymous group in Toronto, which makes a decision as to how severe the challenges are that this young person faces and what the appropriate funding should be. That strikes me as somewhat inconsistent with the objective of reducing red tape, because in fact it has generated a phenomenal amount of additional paperwork to get the necessary educational assistant or the necessary classroom for a particular student.

Amalgamations: this government certainly believes in amalgamations. We've seen some voluntary ones and we've seen some forced ones. When I talk to the employees in the amalgamated municipalities, they indicate they have never, ever had so much paperwork; they have never spent so many hours trying to replicate in their own community a system that already existed and was in place and running in the province.

I'd use land ambulances as an example of that. We had a system that was absolutely second to none in the world, and now all over the province we have little groups working, trying to get the best system for their area. It wasn't broken. We generated no end of additional work by this simple transfer. I know that even some of the government members may not believe in the transfer, but the accountants said, "If we take the dollars off here, we've got to put them somewhere else," and so we did a financial balancing for it.

A very similar thing to special ed, I was shocked to discover, was the paperwork required to determine the funding for a resident in a nursing home in Ontario, again premised on the logic that the local people really don't understand the needs of the people they work with every day. I was shocked to discover that in order to get funding for a particular client or a resident in one of these nursing homes, this government requires that a file be built up on them describing their needs, their weaknesses and strengths, and so forth. It's given to an individual within the Ministry of Health and Long-Term Care, who is forbidden to see that person, can't actually talk to or visit that individual to help to assess their needs, but must do it all off paperwork now. That surely runs counter to Bill 119, which says they want to reduce paperwork. Somehow there has to be some sense that the government should be consistent right across the board.

Provincial testing of students: the paperwork generated by it—and I'm not opposed to provincial testing. I'm probably somewhere near one of the last groups that graduated from grade 13 in Ontario with the requirement that we write the tests or exams that came out of Toronto on a magic day. We all wrote them. We sent them away and we got the final mark, although we never did find out what part was right and what part was wrong. We simply knew we had passed and what the mark was. If we had put down incorrect information on that departmental, we were never told it was wrong. It was simply kept a secret from us.

But some of the provincial testing where the marks have to be done by people coming to Toronto, the

government paying teachers to come up and do the marking, paying their accommodation and their travel expenses, while teachers have every week of every year in Ontario been able to mark their students' papers—there would have been some rationale for standardized testing but having the marking done locally, because the money going into the marking is money not going into textbooks, money not going into the classroom. We've seen an increase in paperwork.

If I want to present a wonderful example of this government committed to increasing paperwork, we can look at the \$200 permanent campaign cheques that have been mailed out in the last week to people. The rationale was that too much was collected from each taxpayer in Ontario, not \$200 from each person. On a personal note, I am dismayed when I get calls at the office from single parents, people with disabilities. I've had a number from people with disabilities. People on disability make about \$11,000 a year in this province and have had no increase in 10 years: nothing to adjust for the cost of living, whether it be rent or whether it be food. They call wondering when their \$200 cheque will arrive. I'm forced into the position of having to tell them it's not coming. This government is interested in taxpayers, not necessarily citizens.

The paperwork to generate all these cheques, and the postage, could easily have been avoided by simply saying, "We don't need to collect that much tax." This government has shown a wonderful ability to adjust the tax rate. Why was the tax rate not adjusted to reduce the amount of taxes being paid by an amount equal to what they're giving out now? Well, because it wouldn't have the same political impact.

One cannot say, "We're opposed to paperwork," while at other times taking on tremendous costs, to be borne by the taxpayer, which is in many ways a political statement with the mailing of the cheques. I think that's wrong.

This government is committed to the reduction of paperwork. I chose one evening to drive on Highway 407 to see what it looked like. Traditionally in Ontario, we built our highways by people paying their taxes, building the highway and then we drove on it. We paid a certain amount of taxes all the time to fund that road. Now when I drive it, companies had to spend a lot of money to invest in a system that picks up my licence plate number, and I get a bill in the mail that I can pay. In fact, people tell me that sometimes they don't even drive on the highway and they get a bill in the mail. But I take that bill, and I get a certain penalty on it because I don't have a transponder and a certain charge on it for a number of items, and I have to send in a cheque covering my driving on the 407. Is that increased efficiency? It may be for the company that was sold the 407, but it certainly hasn't increased efficiency for the average person in Ontario. So while purporting to increase efficiency, Bill 119 certainly doesn't reflect all the needs.

We can go too far in these efficiencies. The 1-800 numbers: we're making all the services available to the people of Ontario with 1-800 numbers. As members, we

are somewhat spoiled, because we or our staff can phone a number somewhere within the ministry and get a response. I chose to phone a number at the Ministry of Agriculture to ask a question. We have a small farm, and I was interested in a particular item—there is no ag office left anywhere in my riding now for me to go to. I phoned the 1-800 number, and this very pleasant computer told me that at that very instant the average wait was 17 minutes. I waited 17 minutes, and evidently the number changed while I was waiting, because I waited 30 minutes and I waited 45 minutes and then I gave up. I simply couldn't afford that amount of time. A farmer in our community can't afford 45 minutes or an hour waiting on the phone. So I caution the government: you take some risk in saving the province money when all you're doing is simply lowering service.

Let's look at the bill itself, because the bill has just about everything you can imagine put together in it. Some of it is rather minor in nature. Some of it is simply to correct a clause to reflect the actuality. The bill is not inherently all bad, but there are some items in there that I believe are of great interest.

There's a little item I'm interested in because of my school board background: the Ontario Parent Council. The Ontario Parent Council isn't a council made up of parents who have been elected to reflect their community; it's a council made up of people appointed by the government, and these appointees tell the government whether or not it's doing the right thing. There may be a little conflict of interest in there. I haven't read yet where the Ontario Parent Council has been particularly critical of government. The Ontario Parent Council is made up of 18 individuals appointed by the government. We're going to make it more efficient in this bill. We're going to 20. I struggle with the explanation that that actually makes things more efficient. I was told, and believe at times, that the best committee to get a job done is a committee of three where two of them never attend. So I suggest going from 18 to 20 actually worsens the situation rather than making it better.

There's an amendment to the Public Guardian and Trustee Act. Some months ago I shared with this Legislature that this government now charges orphans to administer their money. In my riding there's a situation of a young man whose parents were tragically killed in an automobile accident. There was some money from an insurance company, an insurance settlement, that was given to him. Being a minor, it was held in trust for him. Although the government collects the taxes on monies earned by this trust fund, they implemented a charge for any money going into the account or any money coming out of the account. This is for an orphan. I believe that what this does is legalize it. It allows the Attorney General to gouge people with more user fees.

1930

One cannot analyze exactly what has happened in this province. It is clear to see the number of tax cuts and the effect they've had. This government very kindly provided that for us when they mailed out the \$200 cheques

with a breakdown, but it would have been nice to have had another page added with the new user fees. If you are 17 years old, these are the additional user fees you would be assessed for increased college/university tuition. If you want to go to your community rink and play hockey or simply skate, there is an increased cost to it.

That is disturbing when you consider that for user fees, the very lowest income earners are the ones who are impacted the most. The group of our citizens who will not receive the benefit of the tax cuts receive the full impact of the user fee, and a user fee that may be relatively minor to a well-to-do person can be enough to prevent a low-income individual from participating.

In this bill, the Ministry of Transportation is going to save a few cents. Instead of sending licence suspension by registered mail, they will go to regular mail. For the individual who has had their licence suspended, they will not know if an error has been made and their licence has been suspended when it should not have been. They will not be aware that it's suspended, and that has major ramifications for their car insurance and for their employment. I humbly suggest that for the few additional pennies, you get a confirmation that it has been received. I think this is penny-wise and pound foolish.

The Tenant Protection Act is going to be amended. Some of it is good. At the present time, when the landlord gets an eviction notice, it can hang over a tenant's head for months and months or a year. It is an extremely good idea to have it automatically cease to be effective, to have it die after six months. Interestingly, it was our member from Don Valley East who put that forward in the last session, that it was not fair to tenants.

The Tenant Protection Act is in itself a very difficult act. I have been a tenant; I have been a landlord. There are some really bad tenants; there are some bad landlords. But there are a lot of great tenants and a lot of great landlords. This Tenant Protection Act swings the pendulum to the point that I think there is a lack of fairness in it.

I have not been a tenant for some time, but when elected, I, with a number of other members, chose to rent an apartment in Toronto for evenings such as this when we will not be able to return to our homes. The amount of rent that I am paying is nearly double the rent being paid by some members who were here before. As each apartment becomes vacant, landlords are entitled to raise the rent to pretty well any number they want. What we're seeing really—and it's a phrase that I did not originate but I do believe it's accurate—is deregulation by stealth. In the apartment buildings, one apartment at a time will leave the protection of the Tenant Protection Act. It's far better to be upfront and acknowledge that we don't believe in the Tenant Protection Act, rather than to take and dangle it like that.

There is a clause in there that also causes me concern. This is now my 24th year as a board member for children's aid societies. School boards: I had a practice of visiting schools two noon hours a week and chatting with the teachers and visiting classrooms. We have a wide

range of individuals in this province and we have a wide range of incomes.

If it is passed, this will allow that a tenant can be evicted with only 10 days' notice, grounded on an illegal act. I don't know what that means. I don't know what "grounded" means. I'd feel a lot better if it referred to a conviction, that there was actually a decision made. But this one says that if there's an allegation, potentially you're guilty.

I can understand the need for something along this line. I don't think anyone in this House condones an apartment being used for drug dealing, an apartment being used for the purposes of crime. But what does "grounded" mean? I can think of examples I'm aware of where you may have a family and one child. Children, thank goodness, are not robots. Children have their own minds, make their own decisions. If a child in a family makes a decision to be involved in drugs or to sell drugs, I would suggest that in most cases the family would be as flabbergasted as the community over that. But if one of their children or one member of the family chooses to do an illegal act, the family is not necessarily going to be given the opportunity to rectify it and to deal with that member and to move that member out of the apartment. The entire family can be confronted with a 10-day notice to move out of there.

So much of this bill is premised on the fact that people in communities outside of Toronto and people outside of this government have no brains and can't make their own decisions and that decisions have to be made here. This is zero tolerance. For families who perhaps have a child who is developmentally handicapped and commits an illegal act, there's no allowance in this.

As a critic for disabilities, I believe the objective of this government should be to pass legislation that will remove barriers. This in fact increases the barriers being faced by so many of the financially disadvantaged in our community. I believe the right and ethical thing to do would be to take this bill, break it down into components that deal with the specific areas, give the public an opportunity to comment on that area, rather than concealing it behind a title that is absolutely meaningless. To include the words "good government" automatically draws support without people realizing what they're agreeing to.

This bill does not make life better for the vast majority of people in Ontario.

The Deputy Speaker: Comments and questions?

Mr Bisson: I'd be interested to see what kind of public hearings we get for this bill. My experience with this government over the last little while has been that when they have a bill that they feel warm and fuzzy about, they send it out for all kinds of public consultations. I was on a warm and fuzzy bill this summer as we toured the province of Ontario with regard to snowmobile legislation—a good piece of legislation; I've got no argument about it. But the government consulted widely when it came to figuring out if we should put in place a permit system for snowmobilers.

When it comes to something fairly significant, when it comes to public policy, this government's record is not too good; in fact, it's pretty darn bad. They will probably give it one or two days in committee here in Timmins—here in Toronto. Here in Timmins—talk about talking about your own riding. Well, we should move the Legislature up there. I think we'd probably do a better job. Anyway, I would say to the member who spoke before me that I would be very surprised if they were to give some type of public hearings.

As for the issue of what a red tape bill does, as I said a little while ago, whenever this government comes in with a red tape bill, supposedly in order to make things easier for people, what it basically means is this government absolves itself again of its responsibility, throws things out into the marketplace, allows things to run the way they will, and if somebody gets hurt, killed or whatever in between, it's not the responsibility of this government.

We saw that with Walkerton. We saw what happens when a government decides not to take its responsibility, when a government says, "We don't have a vested interest in making sure that drinking water is safe." Unfortunately, a number of people died because of that. I say beware. When government brings in red tape bills, what they're really talking about is doing away with government and the protection that government offers people. I don't see that as good news.

Mr John O'Toole (Durham): I know the member from London West has spoken many times on this, and I'm actually anxiously awaiting some of his remarks. But the member from Prince Edward-Hastings sort of concluded the way he started, that this doesn't make it easier. For the record, these initiatives have been commenced as a result of initiative taken by people asking, saying that these changes do represent a barrier to opportunity or a barrier to doing business or keeping things in plain language. Perhaps the bureaucratic approach that the honourable opposition members are advocating speaks to the whole issue of the Liberal government. Whether it's federally and their going to the election prior to it being necessary, it's kind of their track record. Lack of accountability is how I summarize that.

1940

A couple of things I think are important to bring to the attention of those listening tonight. The Provincial Offences Act, under section 13.1 and section 76.1 of the act—I think it's important—electronic copies. This is updating and modernizing and making sure that the regulations and the legislation reflect what's actually going on in the economy. I'll just read for the record: "When a document is filed in paper form, an electronic copy may be retained instead of the paper original." I think it's appropriate to recognize the business practices of today. It's important to upgrade not just the Provincial Offences Act but all of the acts that are being amended here. Much of that is being dealt with by this government, which has the courage to take on the difficult challenges.

I think there are a couple more in here—the Business Corporations Act. I like the financial assistance by corporations: a corporation may give financial assistance to a person for any purpose or means or loan to guarantee. But also it outlines the disclosure requirements, so the shareholders and the public know exactly what's going on. It's changes like this—

The Deputy Speaker: The member's time has expired. Comments and questions? The chair recognizes the member for Sarnia—

Ms Caroline Di Cocco (Sarnia-Lambton): Lambton.

I'm going to address for a couple of minutes this issue of the reason this bill is, again, not credible in the way it's encompassed: because it has many changes. This bill really is going to have far-reaching effects that are hidden in this omnibus format. It should be debated on its own merit.

I'll give you one example. This example is of the theatre projectionist licensing as part of red tape review legislation and what it does. Having untrained, uncertified people operating complex projection equipment is dangerous. I don't know if you realize this or not—and obviously the members on the other side of the House don't—there are a lot of potential dangers. They include high-pressure xenon bulbs that have the potential to explode, for instance, or high-voltage sources which require proper grounding and if mistreated could result in deadly electric shock. There's a great deal of equipment, and you need equipment maintenance, and it presents potential fire hazards.

You're talking about huge theatres that have a lot of people attending, and now we're going to allow projectionists to be unregulated, and therefore they don't have to have the training. You can pay anybody to come in and work these very, very highly mechanized and dangerous pieces of equipment. Again I'll say that having untrained and uncertified people operating complex film projections is dangerous. In this red tape bill, you've sneaked it in with a one-liner, but you don't see what the long-range effect is going to be.

The Deputy Speaker: The member's time has expired. I apologize to the member. I forgot the Lambton part of your riding. It was Sarnia-Lambton and I apologize. Comments and questions?

Mr Wood: The member who spoke referred to a lengthy questionnaire used by the Red Tape Commission for complaints. In fact, in that he is mistaken. We do have a questionnaire. It's one page long. We do, however, encourage, people to make complaints. He referred to a number of problems that have come to his attention. I would encourage him to have those people make complaints to the commission. They will be processed, and we'll try to give satisfaction where we can.

We also heard some discussion about the method of collection of tolls on the 407. I would invite the member to answer this question: would he like to go back to the old system? Would he like to go back to the best system the 18th century could devise? Surely, we have a 21st

century system that works. That's the kind of service we're trying to give overall to the people of this province.

We also heard some comment being made on the length of time you have, after being found to have committed an illegal act on the premises, to leave. The proof, by the way, is proof before the tribunal on the balance of probabilities; that's how you establish it. How long would the member have a tenant who has committed an illegal act stay on the property? Thirty days? Six months? Perhaps the member could tell us that. If he thinks 10 days is too short a period for someone who has committed an illegal act, maybe he can tell us what he thinks a fair period is. How long would he like to live in a premises where someone else has committed and may still be committing an illegal act? He says that we have zero tolerance for illegal acts, and that is absolutely correct. If you're occupying a unit, you have to make sure that illegal acts are not being committed in the unit. We make no apologies for being tough on those who engage in illegal acts.

The Deputy Speaker: The member for Prince Edward-Hastings has two minutes to respond.

Mr Parsons: I appreciate the comments made by fellow members in here.

I was asked a couple of questions by the member for London West. Would I like to go back to the old system on the highways? Yes. I'd like the old system on the highway where we pay for it with our tax dollars and then we drive on it. As we look at the process for the privatization of highways, I think it's somewhat insidious, the whole concept that this government wants more private highways. As I understand it, only the government can expropriate land, so this is a wonderful arrangement where the government will expropriate the land for a private firm for a new highway and let them build it. We pay tax dollars. We pay tax dollars not to run millions of dollars of ads on there. I'd suggest the money would be better spent on highways and highway maintenance and getting rid of the gridlock that takes place here in Toronto each and every morning without exception.

Now, how long would I like someone to be able to stay in an apartment if they commit an illegal act? As little time as possible. But I would like them to be found guilty by a court, not by a rent tribunal. I believe they are entitled to a court, with all of the rules of justice that take place. It is not for an appointed body to make a decision as to whether there is guilt or not. There needs to be a real, legitimate opportunity for a family to make a case as to whether there's guilt or not, and then, if they believe there was indeed guilt, for them to deal with it by having that individual move out of the apartment, not necessarily an eviction notice for the entire family. If one member on that side, heaven forbid, ever committed something wrong, you would not want—well, you wouldn't; we would—the entire group turfed out. I think a family in an apartment is entitled to that same protection, to get rid of the offender but not necessarily the entire family.

The Deputy Speaker: Further debate?

Mr Bisson: It's with pleasure that I have an opportunity to comment on this bill.

I just want to say, starting out, that I'm really always amazed listening to the lines from the government across the way. Just now, when they had an opportunity to respond to the speech by the member from the Liberal benches, they spoke with a lot of passion about how tough they are on crime. They really feel good about that. I say to them, tough on crime? What about being tough on the causes of crime? The reality is, you can build as many jails as you want—this is a little bit off topic—you can send all the cops you want out into the streets, and yes, that will make us feel a little bit better, I guess. But at the end of the day, if we don't deal with the issues that cause crime, I think we're just spending a lot of money without really looking at what the net effect is. Yes, we need to have a strong policing presence; that's not my argument. Yes, we have to make sure we deal with those people who have offended in a realistic way that takes into account what they have done and makes sure they are properly punished. But my point is that you can't do one without the other.

For once, I'd like to see this government come in with some kind of policy that actually deals with the issues of crime from the perspective of being tougher on the causes of crime. You never hear this government talking about that, because it's much more politically sexy, as you might say in this place, to talk about being tough on crime.

I've had the opportunity to watch this government introduce a number of bills where they say, "Look at us. Look at what we're doing for victims. Look what we're doing to be tough on crime." The problem is, once you bring the bills into the courts, they don't do anything. I remember Justice Day, who looked at the Victims' Bill of Rights. What did he say? It wasn't worth the paper it was written on. It didn't give victims one additional right. It didn't give them anything. So I say to the government that you talk a good line, but when it comes to actually dealing with it, you don't do a heck of a lot.

1950

On the issue of the red tape bill, I want to focus on a couple of things that are topical today, considering the government is bringing yet another red tape bill into the Legislature. I want to take a look at what's happening at the Ministry of the Environment.

First of all, this government, when it got elected in 1995, declared war on government: government's bad, get rid of it, get it out of the way of people. They're nodding their heads on the other side. All the brilliant lights on the other side are nodding their heads. The lights just went on; they've got their lines straight.

They got in and declared a war on government. When they stood in the House they said, "We don't need that Ministry of the Environment. It gets in the way. Somebody trying to do business in Ontario doesn't need the Ministry of the Environment watching what they do. Let's get rid of half of them. Cut 50% of the budget and get rid of all those pesky environmental inspectors.

They're always in the way." Mike Harris basically says, "You know, can't do business in this province because of the Ministry of the Environment," and gets rid of them all, promptly goes out and does that.

People at first stood up and applauded and said, "What a great thing. It's about time they socked it to them public servants." "We know they don't do nothing important," say the Tory-minded people out there, until we found out the kinds of things that happen when you don't have a government that works for you, when you don't have a Ministry of the Environment, in this case, out there looking out for the interests of the public.

We saw what happened at Walkerton. What happened there was no big surprise as far as knowing that something like that eventually would happen. Is it to say the water would never have gotten polluted? Probably. But the issue is that it wasn't caught on time. That's the issue. Why didn't we catch it? Because this government decided we didn't have to have a presence by the Ministry of the Environment overseeing our water supply in the way it did before. As a result, people died. This time they're nodding their heads this way. Yeah, people did die. Nod your heads that way. The reality is, when government forgets its responsibility and removes itself from its responsibility, those kinds of things happen.

The problem with the Conservatives is they have no sense of history of this place. I don't mean the Legislature; I mean no sense of history of our own province. They forget why governments in the past—Conservative, New Democrat and Liberal—put in place, in the case of the Ministry of the Environment, various pieces of legislation, regulations and, yes, staff, along with programs and funding. Why? Because we learned by our mistakes of the past. We learned by way of what happened when it came to tragedies in Ontario when it came to the environment—environmental tragedies—that if you don't have in place good regulation, in order to make sure you prevent people from doing things they shouldn't be when it comes to putting the environment in danger, things will happen, tragedies will happen. By way of explanation, more times than not what has happened is that coroner's commission has gone out and looked at an event and recommended to government that a certain action be taken by way of either legislation or a program to prevent something from happening.

I'll give you a small example. I come out of the mining industry. I worked underground in the gold mines and copper mines in northern Ontario for a number of years. Unfortunately, it is a dangerous environment to be working in, and people die in that environment. When people died we used to have a coroner's inquest. It was automatic. You had a coroner's inquest, not to lay blame—it was the company's fault, it was the workers fault, it was whoever's fault; that wasn't the issue. You had a coroner's inquest to determine the problem. What happened? Why did this man die? At the end of that a coroner's inquest came a series of recommendations. Then those recommendations were brought before the Ministry of Labour and they said, "Here's what the

government should do in order to prevent such an accident from happening again." So, yes, government brought in regulation by way of the coroner's inquest based on somebody's death. And, yes, they even brought in legislation and programs and policies that cost money. And, yes, that meant you had to have people within the Ministry of Labour or the Ministry of the Environment, or whatever ministry, to make sure we safeguarded ourselves from those things happening again. As a result, our industry got safer. We stopped killing people.

What did this government do by way of red tape? Unbelievable. They got rid of the requirement of the government to have a coroner's inquest in the case of a death in the mining industry. You guys can be smug all you want. The reality is that you have no understanding what the hell you're doing. The reality is that a lot of these regulations that have been put in place are based on our experience of the past—unfortunately bad experiences.

Does that mean the government should never go back and re-look at those regulations to make sure they've kept current with the times? Of course they have to. Governments do that on a daily basis. But you guys have declared a war on government: "Government is bad. Regulation is bad. Laws are bad. Get rid of government. We don't need it." They're nodding their heads again. These guys hate government.

If you guys hate government so much, why don't you all resign and get the heck out of here? Let people govern this province who actually want to do something positive instead of destroying it like you guys are.

That's what this government does by way of stealth in their red tape bills. If you look, there's an interesting amendment to the Environmental Assessment Act. Under the environmental assessment tribunal, "The bill clarifies that when the environmental assessment tribunal decision becomes final, the parts of the undertaking that the minister did not refer to the tribunal also become final." What does that mean? "That don't mean nothing. It's just a couple of words. Get rid of them words. They're terrible. Regulation is bad. Declare war on government," say the Tories.

What this means, in the case of Adams mine, is a good example. The government decided to have a sham environmental assessment. They did what they call a scoping EA because of other red tape they got rid of before in the Environmental Assessment Act. They went to take a look at the mine, and what they did was look at one issue only. That's like walking into a minefield in the time of war with one eye closed, hopping along on one leg trying to get your way through the minefield. Eventually you're going to fall over and kill yourself.

But these guys are smart. Tories are so smart. It's amazing. "Get rid of them regulations," they said. What they did was change the legislation, both by way of the red tape bills and by way of amendments to the Environmental Assessment Act, in order to allow the minister to basically scope an environmental assessment. That means that if you have a major project, such as building a garbage dump, you as the Minister of the Environment have

the ability, as he has, to have only one issue looked at at the Environmental Assessment Board. Even though there were a myriad of other issues that should have been looked at, they only looked at one. Now they're coming by way of this legislation—because I guess they finally figured out they had a bit of a problem with the previous legislation—to say that the ruling of the tribunal on the one matter, in this case the leachates, is final, by way of definition and by way of action, when it comes to all other matters that may be pertinent to that project.

Members will know that in the Toronto city council chamber last week, when they were going through the debate on signing that agreement, New Democrats on council—Jack Layton, Olivia Chow, Dave Miller and a number of others—were there posing questions. Basically they found out, by looking at things a bit and questioning, that there's a clause in the agreement that allows the city of Toronto to build an incinerator, something that was banned in Ontario before, and then take the residue waste from the incinerator and ship it to the Adams mine. It's toxic waste. What's left from an incinerator is the most lethal chemical cocktail you could put together by way of trying to reduce a large volume of garbage to a small one once it's been incinerated. The government is going to throw this on trains, by way of the Adams mine project, and send it up to Kirkland Lake.

This is directly related to this bill. It means that because the Minister of the Environment had a sham environmental assessment that looked at but one question—where there was not unanimity at the end, I might add—all other matters are dealt with. Never mind, close the eye, put one hand inside your pocket, hop across the minefield on one leg, Mike Harris is going to lead us through this thing. You guys are nuts. The last time I checked, it is parliamentary to call you nuts. But frankly it is completely nuts in its approach to its responsibility as government.

I say to the government across the way that if you're trying to create a business climate, if you're trying to create an opportunity for people to invest in northern Ontario, there are better ways to do it than by trying to clear up red tape. I look at what happens in northern Ontario—I wonder if I have it with me, because it's interesting. I went through North Bay the other day, and I noticed the Nugget had a very interesting headline. I think I brought it with me. I have it in my briefcase here. It's interesting that the government says, "This is the way to do things. This is how you do economic development." Anybody who knows anything about northern Ontario knows our economy is not doing too well. Why? Because you guys have decided you don't have a role to play in economic development in northern Ontario. Southern Ontario is doing well, I don't argue. I'm the first to admit that southern Ontario—Toronto, Hamilton, Windsor, Oshawa, all those places—is doing great.

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The American economy is gangbusters. Do you know why? Because Mike Harris did a tax cut, the American economy took off. I can't believe it. Amazing fiscal

policy these Tories have. They got rid of red tape in Ontario, they eliminated a number of pieces of legislation in the province since 1995, they gave a number of tax cuts, and the American economy took off like gangbusters, and we're leading the way across North America. I'm telling you, these Tory economic policies are unbelievable.

But in northern Ontario we're having problems. Our economy is not doing as well as it is in southern Ontario. I look at my friends Rick Bartolucci and Shelley Martel and others from northern Ontario and, quite frankly, we're quite worried about what's happening in the north. Why? I'll tell you why we're having problems in the north: our primary sector is not doing well; mining is very depressed. By way of revenue, since 1995, since these guys have taken power, revenue in the mining industry is down 50%, and there is not anything happening when it comes to trying to help and develop secondary industry in northern Ontario. The only industry this government knows about is creating a garbage dump in Kirkland Lake. As I said before, it's kind of nuts.

I was driving through North Bay the other day and I noticed in the North Bay Nugget it said, "North Losing Workers in 'Skills Drain.'" Out of the Premier's riding, young people are leaving. They're going to southern Ontario. Why? There isn't the work in northern Ontario for our young people and, I would argue, not only young people, a lot of older people, because of what's happening in the northern economy.

I say to the government across the way, you can come in with a pile of red tape bills that high; as a matter of fact, you can make them that high. At the end of the day, it's not going to do anything for us in northern Ontario. It's not going to create this climate of economic investment that you guys talk about. You can give five more tax cuts and the American economy will be five times stronger, I can guarantee you. I see that coming, yeah. Bill Clinton gets up in the morning and says, "Thank God for Mike Harris's tax cuts. Boy, is my economy doing good." I was just talking to Bill the other day. He's just tickled pink. He can't believe how good the American economy is doing since Mike Harris's policies have hit the Ontario economy since 1995; a very powerful economy, the Ontario economy.

Anyway, in the north we have a problem. The problem namely is the Conservative government. As a northerner, I would think if we had a Premier from northern Ontario we would be better represented. I'm sad to say the only thing he comes up there for is a fundraiser; \$300-a-plate dinners, where people come out to greet him. That's the only reason he comes up. Then he leaves and he comes back down south and he creates more tax cuts for the American economy, or does more red tape for the American economy. It's just amazing.

If you guys want to do something positive, why don't you look at putting in place some economic investment vehicles that we need in the north in order to help our industry and our entrepreneurs get things off the ground? You can make some very interesting stuff as far as

changes to legislation that I would be prepared to support with proper debate, and that's how we can make changes when it comes to investment vehicles by way of credit unions and caisses populaires and other types of investment vehicles so that we can allow them greater latitude to play a more important role in our communities.

I listen to the Tories across the way and they're saying, "What about the five lost years of the NDP? You were government for five years. What happened in northern Ontario?" Don't ask the question; you might get one. Quite simply, there was the building of 10 brand new mills in northern Ontario in the forest sector, because of what happened under the Sustainable Forestry Development Act and the hardwood management policies of our government, under the NDP; mills like Jager, expansions such as Malette Waferboard. There were expansions and there were creations of new mills all across northeastern and northwestern Ontario. Those mills are still running and they are profitable.

The other thing we did, by way of the mining industry, was invest a lot of time and effort—and yes, even money—in order to make sure that the mining sector had a bit of a chance to compete and to get dollars necessary to get things going in the mining sector.

I say to those across the way, if you're talking about trying to create the proper climate for investment, it's not by doing red tape; most of this stuff, quite frankly, was pretty dangerous when you take a look at it. As I said earlier, you have a bill that says when the environmental assessment tribunal decisions become final—and we're talking about scoped EAs where they were able to do environmental assessment on one issue when there's a myriad of others they should be looking at—the parts of the undertaking that the minister did not refer to the tribunal also become final. Wow, some red tape.

That means in the future, in a town somewhere near you, southern Ontario as in northern Ontario, somebody's going to go out and try to build a dump, they're going to try to build some sort of a plant that may be environmentally sensitive, and the government's going to have the right to scoped EA. That means they will decide what environmental assessment matter should be dealt with, and then they will look at one issue even though there are 10, 15, 20 or 30 issues to look at, and then they're going to get a ruling in their favour because they get to pick the board. After that, everything else is final because of that one little change in legislation.

If this government wants to declare war on government, I think they should change that tune. If they don't like government, why don't they resign and get the heck out of here? There are people in this province who would love to serve, to be able to work on behalf of Ontarians to make sure that we create the proper type of mechanisms in order to create economic development, not only in northern Ontario but across the province, making sure that we safeguard people from abuses of power and also from the abuses that are potential within the environment.

Those are things that would be better done, but instead this government continues to bring in red tape legislation,

saying that somehow or other this is a good thing. You'll rue the day, because the reality is that much of what you guys are doing is potentially very dangerous, not only economically but when it comes to lives.

There was one red tape bill that they brought in last spring and I'm not sure if it's contained within this one, if it's a continuation. It was to get rid of elevator inspectors. Can you imagine, a government saying, "We don't need elevator inspectors in the province of Ontario. We can relax inspections on elevators"? Sure, you won't have a problem for the first six months, a year; they're fairly well-maintained. But once you take the inspectors out, I can tell you what will happen: somebody's going to get hurt, somebody's going to get trapped, or somebody could get killed. I'll say it in this Legislature today: very dangerous stuff.

You forget why government is there. Government is there to make sure that we protect people and that we have a system of running things that is environmentally sound, that is financially viable and, at the same time, to safeguard the public. These types of moves are not a step in the right direction. They're taking us back to the cave ages.

The Acting Speaker (Mr Michael A. Brown): Questions or comments?

Mr Brad Clark (Stoney Creek): I have in my hand a copy of the *Parliamentarian* from July, and in it there's an article from the Prime Minister of Antigua, the Honourable Lester Bird. I'd like to read something into the record, since the member raised a couple of points here:

"The people of this country elect a government. In doing so, they expect the government to govern.

"At the same time, they elect an opposition. The purpose of that opposition is not, as was infamously said during a debate in this House, 'to undermine the government.' The purpose of the opposition is to keep a watchful eye on the government's policies and programs and to criticize them constructively where the opposition considers them to be flawed. The opposition should offer alternatives if, after due consideration, it finds the government's policies and programs to be defective.

"Undermining the government is the job of anarchists—confusion makers and irresponsible people—who simply want disorder instead of order; who want the reign of lawlessness instead of the rule of law."

I remind the member that it was only a few days ago that the leader of the third party was removed from the Toronto city chambers by the police—

Mr Garry J. Guzzo (Ottawa West-Nepean): What was that—

Mr Clark: On Kirkland Lake.

It's fair to talk about policies and it's fair to debate policies in the House, but the over-the-top rhetoric has to stop. The member also started to talk about Walkerton. I have stayed out of that debate, awaiting the results of the inquiry, trying to find out exactly what happened, but they keep throwing it up constantly.

I remind the member opposite that it was his government that allowed Hamilton-Wentworth to privatize

water and sewer treatment. It was his government that brought that in, not our government. We're now living with that. As a matter of fact, I caution the member, if he hasn't read the Toronto Star from this past Sunday, there's a very interesting chronology of events. So before the finger pointing starts on Walkerton or anything else, you might want to read it, because a lot of the fingers are pointing backwards, not forwards.

Very clearly, we have to be a little bit more careful in our comments in the House.

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Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Mr Chair, I'm finally up. There were two of us rising at the same time because we were so anxious to speak to this particular bill.

I'm pleased that my colleague from the Hamilton area just spoke. He chatted at some length about responsible government and doing government differently and the tragedy of undermining government.

Interjection.

Mr McMeekin: Of course, and with every good reason. I've got to tell you, as the mayor of that great town of Flamborough, I know something about this government's ability to cut red tape and undermine government. We took six municipalities and hammered them into one. It was just red tape, cutting your election promise that you wouldn't proceed with the forced amalgamation. You took those municipalities and banged them together. That's undermining government, as the member from the Stoney Creek area certainly knows.

This is a piece of red tape. I carry it everywhere I go. I often get to clip it on weekends, as I'm sure some of you do. It represents, at its best, creative entrepreneurs who are moving forward, making investments and building a stronger, healthier community. But at its worst, I think it represents a callous attempt to streamline and to forget the history that's got us here. I would feel a lot more comfortable about cutting red tape if I had any reason to believe that we could begin by focusing right here in this chamber and cutting some of the red tape that my honourable friend on the other side talks about when it comes to doing government differently.

The Acting Speaker: The member would know that props are not in order in the chamber.

Questions and comments?

Mr Wood: I'd like to remind the member from Timmins-James Bay that what the Red Tape Commission favours is good regulation and effective regulation. I would draw to his attention that under the government in the last five years, our air, water and soil are all cleaner now than they were under his government. That is a result that has done a lot for the people of this province. The NDP, and indeed our friends in the Liberal Party, seem to confuse more bureaucracy with stronger regulation. Oftentimes less bureaucracy brings us to stronger regulation.

He also offers some comment about more efficient processing of regulatory and adjudicative applications, and that's quite true, but that also leads to better regu-

lation. The Commercial Registration Appeal Tribunal under his government took 30 months, start to finish, to process an application. Of course it was way past any useful solution of the problem by that time. We have reduced that to four months. That's good regulation and that's effective regulation.

He talks about the Ontario economy being led by the US economy. Actually, it's the other way. Our growth rate is stronger than the United States' growth rate.

He talks about unemployment in the north. There are areas of the north that have a problem. There are also some areas in the north that are doing very well. Take a look at the unemployment rate in Thunder Bay, for example.

He also talks about the delegation to the Technical Standards and Safety Authority of certain regulatory functions. We don't have all the results in, but we have some. Serious injuries on amusement devices: the year before the TSSA took over, 21; in 1999, the last year for which figures are available, four—an 80% drop in serious injuries under the TSSA's regulatory watch. That is a result we can all be proud of.

Ms Di Cocco: One of the problems with this huge omnibus bill, which again is a way to hide legislation—

Mr Dave Levac (Brant): Ominous bill.

Ms Di Cocco: I guess ominous, as the member for Brant says. It could possibly be ominous.

I can attest to the cutting of red tape in my riding of Simcoe-Muskoka, and we have Safety-Kleen to prove it. We now have a mega toxic landfill that you guys fast-tracked in 1997, and do you know why you fast-tracked it? Because you cut the red tape. You figured those regulations can be a real bother. It was approved in 1997, I believe under Minister Sterling.

We still haven't got the regulations we need when it comes to treating hazardous waste when we landfill it. We still don't have a full-time inspector, because maybe that's more red tape. Maybe the Ministry of the Environment feels that that again would encumber Safety-Kleen from being able to do what it wants. I don't know. We've had a leak there, and again we don't have any kind of experts coming forth from the Ministry of the Environment to oversee what goes on there, because again we have to cut red tape to help Safety-Kleen expand its market share. We expand its market share from what? From importation of hazardous waste. We have become the toxic waste dumping ground for North America. That is what lack of red tape does.

The Acting Speaker: The member for Timmins-James Bay has two minutes to respond.

Mr Bisson: I forget which government member across the way said, "There was a good article written in the Star that points the finger to the NDP when they were in power. It's their fault that Walkerton happened." They were pointing the finger. I just remind the members of one fact: nobody died drinking water under our watch or under the Liberal watch or under the Bill Davis watch. They died under Mike Harris's watch. Why? Because you guys gutted the Ministry of the Environment. You

got rid of the inspectors and the mechanisms within the Ministry of the Environment to safeguard this from happening. It happened under your watch, and you should be darned well ashamed of it.

I say as well to the government member across the way—I forget who it was; they're all the same, the bunch of automatons that they are. They talked about, "Under our government, you know what? OMB hearings are faster. Everything's lickety-split." Yes, that's my point. They are lickety-split, because we're not looking at the issues that should be looked at when developing certain projects. The Adams mine is an example. The dump that the member for Sarnia-Lambton just got up and talked about is another example. Basically you're allowing everything to go through and there's no public scrutiny, so what we've got are projects that are going ahead that are environmentally unsound. Are you proud of that? I'm not.

I say to the government across the way: that was my point when it came to the economy. I was being a bit tongue-in-cheek, but he gets up and tries to defend himself by arguing with me. Listen, I agree that the American economy is doing so much better now that the Harris government put their policies in Ontario. It's just lickety-split, the economy in the United States, and I think the Mike Harris government should take credit for it. As a matter of fact, they should get involved in a presidential debate.

To the member who made a little bit of a warning about the role of opposition as somewhat that of anarchy, I wouldn't be surprised if you tried to get rid of opposition altogether.

The Acting Speaker: Further debate?

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Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'm very pleased to be able to join this debate on Bill 119, the Red Tape Reduction Act, 2000. I promise to stay on track, unlike some of the speakers opposite who have been all over the place.

This government knows that citizens and small businesses have better things to do than spend their time filling out redundant forms or following outdated and archaic regulations. They need to be out living their lives, creating wealth and jobs to benefit everyone. Our fight against red tape and regulation is a fight that people in this province demand we fight every day, and it is a fight that must continue always.

The term "red tape" is an 18th century phrase—I don't think anyone touched on this, so people opposite might want to listen to it—that comes from the red tape formerly used to bind legal documents in England. I don't know if the fact that the tape used is the colour of the Liberal Party means anything in particular, as the Liberal Party did not come into existence until the 19th century. Perhaps they picked their party colour to honour that red tape.

How we approach problems such as red tape depends on how we view government and its role. Common sense tells us that every government operation should be effi-

ciently run, but we must look at why we are regulating at all. Regulatory controls always impose a cost on individuals and companies. These costs are only acceptable if a regulation is needed to protect the health, safety or environment of Ontarians. This must be the test applied whenever a regulation or law is considered. In almost any situation you could think of, I would trust an individual to make a decision about how to lead their life rather than have some government agency or official making that choice. This is why I am a Conservative, not a socialist or a Liberal. Conservatives know that freedom of the individual is what makes our society thrive.

State regulation is only necessary to stop those few unscrupulous individuals who seek to advance their position or cause by harming others. To me, this should be the true test of any regulation: will any individual citizen or family be harmed if we do not pass this regulation? If the answer is no, then the regulation is not necessary. It is as simple as that.

This government has fought red tape since it was first elected in 1995. Look back to page 14 of the Common Sense Revolution and you'll see where we first put our commitment down on paper. The Common Sense Revolution says, "We will appoint an arm's-length commission on red tape to review all regulations affecting business. Any regulations which can't be justified will be eliminated." This commitment was made to the people of Ontario and it has been honoured. It is only unfortunate that there are so many changes needed that it has taken a little longer than we had anticipated.

It amazes me to think what small businesses had to go through to satisfy the bureaucracy during the 10 lost years of NDP and Liberal governments. Many employers had to devote the equivalent of a month's work every year to completing forms and complying with regulations, all this to make some bureaucrat happy, instead of being out there creating jobs. This terrible situation is what made the red tape review necessary.

The Red Tape Commission appointed by Premier Harris did amazing work to identify those regulations that should be repealed. I think we all owe a debt of gratitude to all the members who have served on that commission. I would like to particularly thank the current co-chairs, my colleagues Bob Wood, the member for London West, and Frank Sheehan, the former member for Lincoln. Our follow-through on the Red Tape Review Commission's report meant the elimination of 1,000 regulations that had previously hampered job creation.

We provided a computerized business registration that cut registration time from three months to 20 minutes. Now it can be done at one of 54 Ontario Business Connects computer networks across the province. There are also 26 small business self-help offices throughout the province to assist small business entrepreneurs with start-up and provide information, advice and resources.

We also scrapped unfair job quotas and made the labour laws fair.

We responded to the public's wishes for change by passing 12 red tape reduction bills. These bills have

eliminated red tape in almost every sphere of government activity. I know this bill will not be the last needed, as fighting red tape is a continuous process.

I'm proud to have joined a government that has given entrepreneurs and businesses the freedom to succeed by removing the barriers to growth and opportunity.

Our Blueprint plan in the last election promised to go even further than the Common Sense Revolution. Mike Harris and his team committed to a permanent red tape watchdog to prevent and eliminate job-killing regulations. The plan promised to make all new regulations pass a business impact test to ensure they didn't stand in the way of new jobs or threaten existing ones.

As a first step in fulfilling these commitments, the Premier in July announced the Red Tape Commission's extension. Premier Harris said that the commission's number one priority will be to fulfill the Blueprint commitment to create a permanent red tape watchdog that will prevent and eliminate job-killing rules and regulations. The Premier stated, "We need to build a culture in the government of Ontario that eliminates red tape wherever it's found, and one that prevents additional red tape from creeping in." I agree with the Premier 100% and I know that my colleagues, along with most Ontarians, agree.

Bill 119 is quite a lengthy bill, as the opposition also realizes, which I think indicates how much of a problem red tape represents. The improvements to government it makes reach across at least 14 ministries at a quick count.

It would be impossible to describe all of the changes in a short speech, but I would like to talk to you about some of the provisions that illustrate the value of this bill, provisions that to me just reflect old-fashioned common sense. For example, the Change of Name Act would be amended to eliminate the requirement to apply for a name change within 90 days of marriage to allow the change to be applied for at any time.

In the Ministry of Labour, the bill would extend workplace insurance benefits to volunteer auxiliary police officers if they're injured while on duty. As a parliamentary assistant to the Minister of Labour, I think it is high time to make this change to protect those who risk themselves assisting the police and protecting communities.

Another change that I think is timely would amend the Municipal Act to allow a municipality to change its name without having to come to the province for approval. As a member of the standing committee on regulations and private bills, I sat in committee with my colleagues to debate Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha. It might seem obvious to the ordinary person that a township in Peterborough county should be able to pick the name it wants to call itself. However, at this point in time, if a municipality wants to change its name, it needs an act of the Legislature to do so. The government has overseen the merger of a number of municipalities in the past few years, making special provision to

allow new names for new amalgamations. It only stands to reason that some towns, cities or townships may change their minds about their new names.

The township of North Kawartha is a perfect example. It was itself an amalgamation of two townships, which canvassed local residents about which name they would prefer. Eventually they settled on the name of North Kawartha, but too late to meet the name change deadline. Under Bill 119, if passed, local governments, in consultation with the residents, won't have to endure the time and expense of coming to Queen's Park for a name change. The red tape is decreased, taxpayers save money and everybody wins.

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Reducing red tape to allow businesses to create jobs is a process that does not have an end. Laws and regulations that are necessary today may be redundant tomorrow. New ideas to make government simpler and easier to deal with are brought to us all the time. Just the other day in the regulations and private bills committee, we considered a bill to revive a corporation that had been dissolved because a form had been filed incorrectly. The company had, perhaps by overlooking, missed a follow-up letter from the Ministry of Consumer and Commercial Relations. The question I would ask is, is it really necessary for this company to secure an act of the Legislature to deal with this problem? I would hope this issue could be addressed in the next red tape bill.

Mr Speaker, as you heard in some of these comments, many of the members said that this bill is massive, that this is an omnibus bill. Some of them said it's ominous. It is a hefty bill, but a lot of work had to be done and a lot of work still remains to be done. I can assure you that the job of the government is not over with this bill. I'm sure there will be many other amendments, many other bills coming forward, because we cannot sit on our laurels.

We have to work hard. We have to make sure that these kinds of amendments, this kind of red tape is decreased on a daily basis so that we can do a job, so that we can give small businesses the opportunity to create these jobs. Even the members opposite know that because of our reductions we have been able to create 786,000 new jobs, and everybody benefits, even the members opposite.

The Acting Speaker: Questions and comments?

Ms Di Cocco: In discussing this, when we talk about the Red Tape Reduction Act, it's a misnomer; just the title of that bill is definitely a misnomer. There are a lot of areas where this government should be reducing red tape and isn't. One of them is the Trillium Foundation. There's an area here where monies are supposed to go to charities and organizations and communities, and yet they're having such a difficult time accessing funding from the Trillium Foundation. Here's an area where the elimination of red tape would certainly assist those community groups.

Unfortunately, where we're taking out some of this red tape is really for the convenience of businesses and not necessarily for the protection of public safety. I'll

speaking again to this issue of the projectionists, for instance. It has to do with public safety, and yet here we are, again making it easier for big business, for some of the huge film industry like Famous Players etc. Now they don't have to license their projectionists. I believe it jeopardizes public safety because of the complex film projection equipment that has to be utilized. These high-pressure xenon bulbs can potentially explode if you don't know what you're doing in that field. There is a potential fire hazard in the cinemas if your projectionists are not regulated and licensed.

Mr Wood: I think the member from Bramalea-Gore-Malton hit the nail on the head when he spoke of the importance of this bill to small business. We tend to forget sometimes, when we're involved in a large organization like the Ontario government, some of the challenges small business has to deal with. One of the most important reasons we have our complaints procedure is to help small businesses when they have to contend with a very large bureaucracy, as they often do when they're dealing with the Ontario government, and they have to contend with a very tight budget in their own organization. They need help.

That's why, when someone comes forward with a red tape complaint, we make available to them the resources of our civil servants who go and meet with the civil servants in that ministry, discuss the problem and, by the way, in most cases resolve it at that level. That's why if that process fails to achieve a satisfactory resolution, we then go to the minister's office and, if necessary, to the minister to discuss the matter, suggest solutions and try and work something out. If that fails, of course, we seek advice from the Premier as to how to go about solving the problem.

That process gives a small business person a chance to actually resolve a problem, because without that it's pretty tough when you're a small number of people against a large organization. I think that, because of his background and experience, he is particularly well placed to speak to that issue and point out how important that sector is.

We have to bear in mind that the vast majority of jobs are not in the big business sector in this province, they're in the small business sector, and if we are not friendly to that sector, if we don't show them that we're able to resolve their problems when they come up, that's a very serious blow to the potential for economic growth in this province.

Mr John Gerretsen (Kingston and the Islands): I'm very pleased to join the debate this evening. Just to make a comment to my colleague from London West, who I know is on the Red Tape Commission, maybe he can explain why it takes a 15-page document for somebody to complete in order to appear before the commission and then the individual isn't even allowed to make his presentation. Why would the Red Tape Commission create a 15-page document? I, for the life of me, can't understand that.

With respect to the member from Bramalea-Gore, what we have to understand is that this bill is not about cutting red tape. All it is doing is replacing one kind of red tape with another kind of red tape. As a government member said here the other day, there have only been two statutes that in effect have been repealed and one statute has been added on. All the other matters referred to in this bill merely change one kind of red tape for another kind of red tape, so to call this a red tape reduction bill is a total misnomer.

Let me just talk about one other thing and that deals with a comment that was made earlier by the member for Stoney Creek about the Toronto Star article this weekend. I agree with him that there may be at times too much rhetoric in this place and that perhaps we should tone it down and talk about the issues. But let me just remind him that this article very clearly points out—and this is the article that goes through the whole Walkerton experience over the last six years—that there's one thing that's absolutely necessary, and that is that there has to be government involvement, regulation and inspection of the water sources that each one of us drinks from in our homes, or in our wells etc. That, if nothing else, is strictly pointed out in this article.

Mr Bisson: I'm interested again to hear the mantra from across the way. A government member gets up and says, "You know, if regulation gets in the way"—I guess I'll have to paraphrase because I don't remember it word for word, but basically the point he was making is that he trusts people to get things done when it comes to getting projects underway and he doesn't think that government should get involved.

I agree in a sense that for entrepreneurs and people who want to get involved in the economy and want to build a business, obviously it's their responsibility, and God bless them, but the reality is that we need to have some checks and balances in place. I think a good example of that is what's happening in regard to the environment. This government is removing much in the way of environmental protection legislation. He says it gets in the way. In the end I think it's going to make things dangerous when it comes to the environment.

I would say again to the government across the way, the whole guise of why you're doing this is supposedly because you're going to make it easier for business to operate within Ontario. A member got up and talked about the importance of small business. I would argue that all this red tape isn't going to do anything for small business. All it does is help the big guy. What the small, independent business people need help with are ways and strategies of how they are able to compete with the larger entities out there in the economy. How do you, if you're an independent retailer, compete with the likes of Wal-Mart and others? I would argue much of what you're doing by way of red tape is going to assist those guys off the way.

I noticed that the Minister of Trade and Technology was here, along with the Minister of Transportation. This Legislature went down the road of red tape by getting rid

of the regulation within the trucking industry and look where that brought us. Shippers got the windfall and the truckers are starving, and now we have a trucking crisis in the province because the trucking companies can't make a buck under your deregulated system. So I say there's a place for regulation and that's what this Legislature should be looking at.

The Acting Speaker: Response?

Mr Gill: I want to thank the members for Sarnia-Lambton, London West, Kingston and the Islands, and Timmins-James Bay for taking part in this debate this evening.

Twice today the member for Sarnia-Lambton, in perhaps the last hour, talked about the projectionists. One of the things we must keep in mind is—and I can say this from a little experience because my background happens to be engineering, which is a very finite science—as you know, Mr Speaker, and the members opposite will know, things have changed over the years. For example, even in the computer industry, when somebody said that the PC is the ultimate computer piece that ever came along, of course the next day it is a 286, 386, 486, 586, Pentium 75, 100, 200 and now 800. At one time we thought everybody had to know how to write a program. Now you get these user-friendly programs that even I can use and my kids can use. I think my kids can do a better job than I can do. Therefore, what I'm coming to is that you don't need 16 hours of training—

Mr Clark: No, 16 weeks.

Mr Gill: Or 16 weeks. That's even worse; I thought it was only 16 hours. You don't need 16 weeks of training to become a projectionist, just because the xenon lamp happens to be very hot. This is unheard of. I think we need to cut through that. The VCRs, the VDPs and whatever else has come in demand that we have to change with the new technology. We have to cut through the red tape. I'm sure the member opposite realizes that. She may get an opportunity, if she speaks tonight, to retract that statement perhaps.

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The Acting Speaker: Further debate?

Mr Rick Bartolucci (Sudbury): I'll be sharing my time with the member for Sarnia-Lambton.

This is Bill 119. The title is An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts. The people of Ontario have been watching this debate. They're listening to the government members who are saying, "We're making it so easy for you to do business." Let's read a few of the things that this act is doing.

One of the things it's doing is the Dog Owners' Liability Act. Listen to this: "If a proceeding is commenced against the owner of a dog under the act, the Ontario Court of Justice may make an interim order before a court makes an order under the act." Now here it is: "If a court orders the destruction of a dog and it is not taken into custody immediately, the owner is required to

restrain the dog by means of a leash and muzzle until it is taken into custody." But we're not finished: "If the court finds that a dog has bitten or attacked a person or a domestic animal, the court may make an order prohibiting the dog's owner from owning another dog during a specified period of time."

I'm laughing because you people on the government side think you're so great at reducing red tape. But do you know what isn't so funny? We have had the Attorney General here this evening, we have the Solicitor General here now, the Minister of Education, the Minister of Economic Development and Trade, the Minister of Transportation and the corrections minister. We're not talking about important issues that these ministers deal with. I would love to debate with the Attorney General the importance of An Act to protect Children involved in Prostitution instead of the Dog Owners' Liability Act.

Listen, what are you as a government and we as parliamentarians all about? We should be about protecting children, about having our priorities straight. So don't talk to me or this side of the House or the people of Ontario about an act to reduce red tape. Let's talk about an act to reduce sexual exploitation and sexual abuse of kids through prostitution. Let's talk about Bill 6; let's forget about talking about Bill 119.

The people of Ontario want to know a little further about what's in the content of this act, so let's go to the Mortgages Act. This says—and listen, because this is really important—"The true copy of a mortgage that the mortgagee is required to deliver to the mortgagor may be a facsimile." Well that's really important. Do you know what? I think the people of Ontario would like to talk about Bill 32, An Act to amend the Highway Traffic Act to require a driver's licence to be suspended if a motor vehicle is used when purchasing sexual services from a child. I suggest to you that, as heavy as this bill is, if the people of Ontario weighed Bill 119 against Bill 32, this one-page bill, the people of Ontario would choose that Bill 32 should be enacted.

Listen, people, we are supposed to be putting laws in place that are in the best interests of the different groups of people we're charged to mandate laws for. I've got to tell you, when it comes to sending a fax of a mortgage or protecting a child from being picked up by some pervert who wants to have sexual relations with that child, there's absolutely no question that Bill 32 is far more important than Bill 119.

Let's go further and see what else is contained in this act, because I know the people of Ontario have heard how very important this bill is to the people of Ontario. Here's a Municipal Act amendment: a new section 12.1 of the act—listen to this—would allow a municipality, including an upper-tier municipality, if there are any of those left, to change its name by bylaw, but the change of name would not affect its municipal status. Well, that's really important, and I know that that's going to be the first item on the agenda when the new city of greater Sudbury takes shape on January 1, 2001. I'm sure they're

going to want to enact a new bylaw to call it the city of Sudbury again, the way it was in the past.

This is not important to the people of Ontario. You have to understand that you put together all these things. You're making very few changes to red tape. What you're doing is shuffling the deck, but the deck still has 52 cards, and when you throw it on the floor, you still have to play 52-pickup. It doesn't make any difference. You're not making an impact on the people of Ontario with this red tape.

I want to continue and I want to deal with another amendment or change, and this deals with the Ministry of Transportation. Section 52 of the current act provides that notice of a driver's licence suspension must be given personally or by registered mail. That's going to be changed now. The re-enactment of section 52 allows for notice to be given by mail for suspensions unrelated to Criminal Code offences. It also provides for other methods of service to be prescribed by regulation. Again, "by regulation" is very, very important.

What we're saying here is that when somebody had their driver's licence suspended in the past, they received registered mail notification that their licence was suspended, or they were sent that message personally. Now we're going to trust the mails to do that. I have a bit of a problem with that, not because I don't have the most respect for our letter carriers, but what happens in the event of a change of address and the person doesn't receive the notice? In fact, you have a person driving without a licence and he's not aware of that. I would suggest to you that again you're only trying to save money with this—that's all you're doing—but what you're doing is putting the people of Ontario at risk. You're ensuring that insurance companies are going to be very concerned about this because their liability is going to increase greatly.

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There are other amendments that you're making to this act. For example, a driver's licence suspension can now be sent by mail, but you're also going to impound vehicles of drivers who are under suspension. They're expanded a bit, and I must say they are expanded only a bit. What I would much rather you do is implement my bill, Bill 122, An Act to amend the Highway Traffic Act to increase the penalties for driving with a suspended licence. Never mind dabbling with the impounding of a vehicle for 45 days. Let's talk about some real tough measures to ensure that those people who are driving while their licence is suspended are punished.

I'm talking about, on the first conviction, one year. Your government and I agree on that point. On the second suspension, you people have a three-year suspension, while mine says 10 years. Do you know what? This government says, "Let's not be too hard on them because we'll put some remedial measures in place." On the third offence, this government says a lifetime suspension, reducible to 10 years if certain conditions apply. I tell you, my friends on the other side, my bill would ensure

that there is a lifetime suspension without any reduction to 10 years.

Here's the difference between a government that is soft on crime and an opposition that believes we should be tough on those people. I say that you don't impound the vehicle, you confiscate the vehicle, you sell that vehicle and you make sure that money goes to the Attorney General to promote safe driving programs like MADD, SADD and RIDE.

I look at the Minister of Transportation with a grin on his face. He doesn't know yet that police forces across Ontario are in support of this. He doesn't know that SADD and RIDE are in support of this. He doesn't know that those people who have had people in their family killed by people who were driving with a suspended licence appreciate and support this. Do you know what? The soft-on-crime government that talks the talk but won't walk the walk, I would suggest to you, and I ask the people of Ontario, to weigh Bill 119 with Bill 122. What is more important to you, the people of Ontario? Is it to make sure that you send a fax for a mortgage, or is it to ensure that drivers who are driving with a suspended licence are punished? What is more important, Bill 119, which deals with dog liability, or Bill 32, an act that would ensure that children are not picked up by perverts and sexually abused or exploited? What is more important to the people of Ontario? I ask you, the people of Ontario—not this government; their minds are already made up—what's more important, Bill 119 or Bill 6, An Act to protect Children involved in Prostitution? The answer is simple: Bill 119 has very little impact on the people of Ontario; Bill 6 protects children, Bill 32 protects children and Bill 122 protects the public.

I would suggest to you, stop your rhetoric—the people of Ontario don't buy into it any more—and start acting the way a government should act. Enact legislation that promotes safety and encourages people in Ontario to cooperate with government instead of confronting it.

Ms Di Cocco: I have to say that the member for Sudbury understands real legislation that is relevant. He has a good understanding. As I said, I believe that on this side of the House we have proven that we understand relevant legislation that is going to make Ontario a better place to live.

One of the things about this bill that is interesting, as we went through this—and the member from Brant isn't here. We sat down and went through all the ministries that this omnibus bill actually attempts to look at. You've got the Ministry of Finance and the Ministry of Education. The Ministry of the Attorney General has 15 sections. The Ministry of Consumer and Commercial Relations has 17 sections being amended. The Ministry of Energy, Science and Technology has a couple of sections that are being amended. There is the Ministry of the Environment and the Ministry of Health and Long-Term Care. The Ministry of Labour has nine, the Ministry of Municipal Affairs and Housing has six and the Ministry of Natural Resources has 10 sections. The Ministry of Northern Development and Mines has seven sections that

are being amended. The Ministry of Transportation has six sections that have to be amended. The Ministry of Training, Colleges and Universities has two, and the Management Board Secretariat has four.

You look at all of these changes and, again, you're putting it all into one bill. As I said, some of the sections, as the honourable member for Sudbury suggested, such as the one about dogs here, are definitely not a high priority on the agenda. But then there are other sections that are really relevant and they do have a great deal to do with public safety.

I'm going to speak to the member for Bramalea-Gore-Malton-Springdale. He said, when he was heckling, that the only thing a projectionist has to do is flick a switch on and off. I would suggest that the honourable member has no understanding of what a projectionist actually does. I would also suggest to the honourable member—I looked at the contributors. Famous Players Inc in different parts of this province has contributed a great deal of money to the Tories, just by chance. They got quite large donations. I also wonder if that happened to be the reason why they decided to deregulate projectionists. If they are deregulated and they don't have the expertise, maybe they don't have to pay them as much either. That is one of the issues—

Interjection: Oh, no.

Ms Di Cocco: I don't know. It's your bill, not mine.

The other thing that's really noticeable—and again, I have to go back to what the honourable member for Sudbury stated about some real issues, important issues of note in this province. The Ontario Trillium Foundation was set up to provide money to agencies in communities that provide community services. Do you know what's happening now? You want to talk about red tape? You try to get some funding from the Trillium Foundation and then you can see what red tape is all about.

In my community, the Alzheimer Society, Big Brothers, Big Sisters, the Canadian Hearing Society, the Canadian Mental Health Association, the Canadian Red Cross, Family YMCA, Goodwill Industries, Huron House boys' home, the Multiple Sclerosis Society, the Sexual Assault Survivor Centre, the United Way, the VON, the Women's Interval House, Rebound and Senior VIP all got together and wrote about the situation, about the funding process at the Trillium Foundation being restrictive and time-consuming. That's what red tape is. It costs a lot of time and it's very restrictive in how you can access the monies. Do you know what's happening to these organizations? They have had their funding—not only their funding, but their ability to raise funds—reduced by 45% because we have a charity casino and slot machines in our area and they cannot raise—

Hon Janet Ecker (Minister of Education): Where do you think the Trillium money comes from?

Ms Di Cocco: That's right, but the problem is, that is competing—

Hon Mrs Ecker: They're getting more than they had.

Ms Di Cocco: No, they're not. They are getting 45% less, because the former way that they were able to

access funds, through bingos, they can't access money there, and the Trillium Foundation won't give them any. What they're saying is that the Trillium Foundation is saying it's got to take a look—another year yet—to decide whether or not they're going to be able to provide money, because the Trillium Foundation has no provision for funding to cover the maintenance of existing programs. All of these groups have existing programs. So if you want to talk about red tape, that is a perfect example of red tape.

I have a letter from the Atikokan Barrier Free Committee. This barrier-free committee formed to address an issue on barrier-free accessibility to the library in Atikokan. So what did they do? They applied to the Trillium Foundation. It says here, "The Atikokan Barrier Free Committee is extremely disappointed that the Ontario Trillium Foundation funding criteria make this worthwhile community supported endeavour ineligible for funding."

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I say to you that there are a lot of areas where red tape is going to protect public safety and there are other areas where red tape is prohibitive to many community services in this province. Do you know what responsible government does? It knows the difference. It knows where red tape is required so that you have a protection in place for public safety, and good government knows when you can be flexible because of community services that are required and it encourages and it adds to and enhances the community. If you end up—

Hon David Turnbull (Minister of Transportation): You Liberals are so deep in the trough, you need a snorkel.

Ms Di Cocco: Again, the Minister of Transportation is suggesting that these organizations are deep in the trough. I would suggest that the honourable minister doesn't know what he's talking about if he's suggesting that registered charitable organizations are deep in the trough when in fact—

Hon Mr Turnbull: I said the Liberals were. Get it right. Take effective listening.

Ms Di Cocco: Oh, well, I apologize if I—

The Acting Speaker: Thank you. Questions and comments?

Mr Bisson: It's interesting to listen to the quips that go around in the House when somebody is speaking. It was interesting when my colleague from Samia-Lambton raised the issue of projectionists. She tied it to how it's interesting that the—was it Famous Players?

Ms Di Cocco: Yes.

Mr Bisson: Famous Players theatres gave large sums of money to the Conservative Party in the last election. She was trying to make the point, "I wonder if there's a coincidence between the large sums of money given by Famous Players theatres to the Conservative Party and all of a sudden the lessening of regulation within the theatre industry and how it applies to the projectionists."

I thought that was a really good point. What was interesting were the comments from across the House. "Oh,

I'll tell you, they're giving us large amounts of money because we're doing such a good job," says the government side.

I really wonder about that one, I'll tell you. It has nothing to do with a good job. I think the member is right; I think there is a bit of a connection here. You wonder why, on the one hand, large sums of money are taken when it comes to campaign contributions and all of a sudden—poof—the regulation is out the door. Is there a coincidence? I think there is.

I listen to the members across the way talk about regulation being a hindrance to business. They forget what the job of government is. The job of government is to make sure that we safeguard the public when it comes to matters that might put the public in danger or put the environment in danger etc. I used the example a little while ago in the mining industry, where we've gotten rid of the requirement of making sure there are coroners' inquests at the time of the death of a miner by way of accident in the mining industry. The government got rid of that requirement. It said it was red tape and it got in the way of the mining industry. I would argue that it made mining safer and it saved lives. By taking away that requirement, you're putting miners in danger.

Mr O'Toole: I have a couple of comments with respect to the member for Sudbury. I'm very surprised and disheartened with his insensitivity and compassion. I would say that I'm somewhat surprised with the somewhat dismissive tone he took with the Dog Owners' Liability Act. I'm just going to read a section, if he's trying to trivialize this important change in Bill 119: "When, in a proceeding under subsection 4(1), the court finds that the dog has bitten or attacked [a child], the court may make an order prohibiting the dog's owner from owning another dog during a specified period of time." It goes on to engender the responsibility of the dog owner so that children and other people aren't injured. They don't seem to care.

I suspect the member from Sarnia-Lambton—I just want to put something on the record here. I would recommend the viewers tonight—that's who I'm speaking with, you, the viewers of Ontario—read the Toronto Star article on October 14. It says, "How Walkerton was Poisoned." I can tell you, from what I've heard tonight and what I've read here, it's clear that this has been a problem for 20 years. The previous two governments both had an opportunity—and I can cite examples here. A survey was sent and "The Bruce-Grey-Owen Sound Health Unit, headed by McQuigge, reviewed the report and did nothing." This will all come out. Not much more needs to be said.

In the small remaining time, with the disarray we have before us, the Liberal opposition, I believe that Brian Tobin should run Newfoundland—federally, the Liberals could use him too—and he should come here, because Dalton McGuinty isn't up to the job. That's been evident for the last couple of years.

This bill is responsive, and this bill makes Ontario the best place in the world to live, to work and to raise a family.

Mr Parsons: When I first got this bill, I believed that in error there had been two pages stapled at the end that didn't really belong with it, because they have to do with the Wine Content and Labelling Act, and surely that's nothing to do with red tape. But when I pursued it, I feel in a way it's a betrayal of our wine industry. In my riding, Prince Edward county is an absolutely perfect location for the wine industry. There are a number of individuals who are gambling their life savings to plant vines, to harvest grapes, and indeed there is now a winery under construction to crush the grapes.

This bill says that if a wine contains 30% Ontario grapes, it can be labelled as an Ontario wine. I believe the average consumer, if they purchase a bottle labelled as Ontario, believes it's Ontario. I understand that to get certain flavours in wine there is a need to mix grapes from one region with grapes from another, and grapes from offshore. The grape growers themselves, who are taking the gamble, believe that 75% is a reasonable number to identify it as an Ontario wine, not 30%.

This red tape bill is in fact protecting the growers in Chile and protecting the growers in Argentina, but it's not protecting the growers in Ontario. Growers in Ontario are small businesses. This does not in any way help the small businesses in our province that are trying to make a go of it as a wine industry. We have the potential to be a world leader, with some encouragement, some support from the government. With the loss of the ability to have 75% Ontario wine, we run the risk that growers will not be able to stay in business, will go out of production and probably never go back into production, and will see that land go into other use.

I believe the government needs to rip the last two pages off. This is a meaningful bill that needs to be dealt with separately to protect our wine industry.

Mr Wood: I notice that the member for Sudbury—*Interjections.*

The Acting Speaker: Order. Stop the clock. It is generally not good to heckle, especially your own members. The member for London West.

Mr Wood: I notice the member spoke about the Dog Owners' Liability Act. I have two questions, which I'm sure he will want to answer in a couple of minutes. Has he ever spoken to someone who has been attacked by a dog? Is he really opposed to this provision?

He spoke about the copy of the mortgage being a faxed copy. I have a couple of questions for him on that. Would he like to reduce the cost of borrowing money on a home? I hope maybe he would. Is he really opposed to this change?

I would also like to comment briefly on the matter of projectionists. In this, the member for Sarnia-Lambton is confusing good regulation with excessive regulation. All health and safety regulations are still in place. The only thing that's eliminated is the need for certification, which has long been outdated.

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She spoke about some problems with the Trillium Foundation. Well, I would invite her, or people who are speaking to her, to make a red tape complaint to the Red Tape Commission. Our questionnaire is only one page long. We will indeed help those who wish to make a complaint to fill it out. What we will do is make sure they get an answer.

I would also like to draw to members' attention our definition of red tape, which is any process or procedure that we put anyone through that is not essential to achieve an identified public objective. It does not in any way weaken health, safety or environmental protections. I hope members will not confuse red tape, which is something other than that, with effective regulation. What the Red Tape Commission is trying to do, and I think is doing reasonably well, is to make our regulatory regime stronger, more efficient and of better service to the people of this province.

The Acting Speaker: Response?

Mr Bartolucci: I would like to thank those members who responded.

In our world, the priorities are protecting children; that's the world we come from. We want laws in place that will protect children. That's why we believe and that's why the people of Ontario, certainly the people I talk to, believe that Bill 122 is far more important than Bill 119. That's why the people I talk to say Bill 32 is far more important than Bill 119. That's why the people I talk to say Bill 6, the act which will protect children who are being sexually exploited or abused from prostitution, is a lot more important than Bill 119.

We might want to remind the people of Ontario that there are some more very exciting and very relevant acts that are changed in this act that is going to change the course of history in the business sector in Ontario.

In the Collection Agencies Act, here's what this government is doing: "The definition of 'collector' is amended so that sales representatives who do not collect debts or deal with debtors are not required to be registered." Well that's really important to the people of Ontario. I'll tell you, I think Bill 6 is far more important.

But let's talk about the Public Service Act, because this is really important. We've spent now over seven hours—this government has—suggesting that "Clause 29(1)(m.1) of the act is repealed because it relates to another provision of the act that has been repealed."

It doesn't make any sense to the people of Ontario. They want us to debate relevant issues like the trucking issue, like education, like policing issues, like corrections issues, like transportation issues. They are not fooled by your rhetoric any longer.

The Acting Speaker: Further debate? The Minister of Correctional Services.

Mr Bartolucci: Shave off his moustache.

Hon Rob Sampson (Minister of Correctional Services): I am honoured by the reply, and I will speak to the moustache issue later, perhaps.

I want to start off tonight's debate, at least my section of it, by saying thank you to the Red Tape Commission for the tremendous work they do in ferreting out redundant, very difficult to manage regulation.

I should say, because there has been a lot of debate in this House, that the Red Tape Commission is also involved in putting forward effective regulation that may not currently be there. I am actually going to speak to some of that today. The co-chair of the Red Tape Commission, from London West, has spoken quite eloquently a number of times in this House that his job, with the rest of the commission, is not necessarily to go through the reams and reams of regulation that we have on the books in the province of Ontario to try to find regulation that frankly has done its time, but it's also to stand and put forward regulation that isn't there now but is indeed needed to protect consumers or to protect businesses or to make this province a little bit more functional and practical.

I will speak very briefly to a section in this act that I find quite interesting, and that's the section that refers to consumer reporting. I know the co-chair, who is quite diligent in these matters, has spent a considerable amount of time talking to the people of Ontario about the challenges involved for those who have to face what's called a credit repair in society.

The member opposite from Sudbury may say that this particular act does not contain relevant legislation for the average citizens of the province of Ontario. I say to him quite honestly, he needs to take an unbiased approach to this act and look at it from the perspective of those who are faced with, as this particular section of the act deals with, credit challenges and the need to repair those credit challenges, people who have come up against defaulting loans, perhaps, or people who have had their Visa card or their credit card extended a bit. Those individuals frequently, unfortunately, although less, I would say, in today's economy because of the efforts of the Mike Harris government but it does happen, will come to the point where they will have to have the obligations they owe people reconciled and dealt with in a fair and equitable manner so they can have their credit repaired and can continue as good credit risks.

When this happens, many people go to what's called a credit repairer and ask for some help. This act actually puts in place some very effective regulations that say to the consumers in this province, "Listen, if the credit repairer isn't able to help you repair your credit, you don't have that much of an obligation to pay them, because they didn't do their job."

That would seem to be quite a natural response in a normal commercial relationship between a credit repairer and a person who needs his or her credit repaired. Because of the diligent work of the Red Tape Commission, they have gone forward and said, "This business needs to be effectively regulated for the benefit of consumers." So they've gone through the process of saying, "Listen, Mr and Mrs Consumer, if you go to a

credit repairer and you need your credit repaired, and the credit doesn't get repaired, you don't have to pay them."

A contract needs to be established between you and the credit repairer so that there's a fair understanding as to what they can do for you and what you're going to have to tell or disclose to the credit repairer. There's a natural five-day cooling-off period. If you sign a contract and you get back to the house or back to your office and you say, "I really don't need this service," or, "That's not exactly what I was looking for in this credit repair," you can rip up the contract with no obligation.

These are very good consumer initiatives that the Red Tape Commission, under the leadership of Bob Wood and Frank Sheehan, has decided are necessary to protect the interests of the consumer. It goes on and on. There's quite an extensive section that deals with that. With all due respect to the member for Sudbury, I believe that's a very important piece of legislation to bring forward, new regulations, if you will, but cast in the form of law that are very important in dealing with the relationship between somebody who owes a lot of money and needs to have their credit record repaired and somebody who is capable of helping them out.

The member for Sudbury spoke about allowing mortgages to be represented in the form of a facsimile. I should say to the member opposite that he may think that's not a very important matter to have dealt with and properly regulated, but I say there are probably fewer and fewer citizens in this province who haven't had to deal with a mortgage company and the very complex process of exchanging documents to validate the existence of a mortgage. Why wouldn't we try to make it easier to accomplish that transaction?

The Liberals, I gather, would want to make it more difficult. They would say, "No, original documents are required," and so couriers have to move documents back and forth. One of the biggest problems in closing a mortgage document transaction is the cost of moving physical documents from one person to another person to another person. In today's electronic commerce age, why? Why wouldn't we try to make that process simpler so that individuals can complete their business transaction, complete their refinancing, complete the mortgaging of their institution or their house, or whatever it is, as efficiently and as effectively as possible?

Absolutely there will be an original of the document in some location and an original of the document will be required eventually, but at closing time when you want to move into the House, when the movers are waiting at the door and you can't get the key because the original document isn't there? That's the inconvenience the Liberals would impose on average citizens. I can't quite understand that. Certainly, I would say it's important to many Ontarians who are in the process of dealing with their mortgage.

2120

I didn't really mean this delivery to be speaking to the member for Sudbury's particular issues, but he spoke in general to the bill, so I shall as well. I believe this is an

important piece of the legislative puzzle that Ontarians are expecting us, as the Mike Harris government, to deal with. I dare say we don't go through a moment in our day that's not affected one way or another by government, either in the form of legislation or even in the form of regulation. I think the people of Ontario would probably find it quite overwhelming if they were to see not only the volumes of legislation that various governments and various parties have passed in this province, but to see the attendant regulations, which are even more overwhelming. We sometimes stand in this House and we say yea or nay to legislation, and regulation is passed with the Lieutenant Governor's approval, but what we don't consider is the impact that has on the average citizen who is trying to live his or her daily life as much as possible without government interference.

I should say to the members here today that a very important part of the Red Tape Commission is to try to make sure that when new laws are passed and their attendant regulations are brought into force they are indeed designed to do what they were supposed to do, which is to make our lives as Ontarians a little bit easier, a little bit more comfortable, but to make sure that it's done in the least intrusive way. I can't believe that there are people in this province who are truly looking for government to be more invasive. I think they would like to see us less involved in their daily lives, and I certainly welcome the continued involvement of the Red Tape Commission, as new laws are passed and as they bring forth things like this, to help us make sure that we indeed are doing what is right for Ontarians and doing it in a way that does make their lives better but doesn't put government any more in their faces than it absolutely should be.

The Acting Speaker: Questions or comments?

Mr McMeekin: I think that while it's fair to be critical, it's also critical to be fair. I want to say at the outset that some good work has gone into parts of this bill. But it's difficult, given the all-encompassing omnibus nature of the legislation, given some of the examples that have been cited here, for members on this side of the House to support it.

The other thing I want to say is that it raises the matter of trust too. There are all too many examples of when this government has tried to present itself as moving forward with eliminating red tape that have just led to backfire on us. There were some earlier kidding references about John F. Kennedy and attempts to get the quote right. I was tempted to say that I knew John F. Kennedy, he was a friend of mine—you folks aren't any John F. Kennedys over there—but that would be too cute by half. I can say that while I didn't know John F. Kennedy, I did happen to get to know his nephew recently, who was in town talking in part about some of the red tape that has been cut around mines and specifically the Adams mine. He suggested that the streamlining there had equated to a situation where we might as well be taking the garbage and throwing it directly into the Great Lakes. He was gentle compared to David Suzuki,

who described it very pointedly as an act of political terrorism. I thought that hearing from these two environmental gurus about the cost of red tape was important.

Times change. I don't have any hassle with fax machines and faxed documents. That wasn't the way things were under Frost and Robarts and Bill Davis, back when you got a straight answer to a straight question, and that was part of cutting red tape. That was part of doing government decently and differently.

So I would say just in closing—I'll close.

The Acting Speaker: Thank you. The member for Stoney Creek.

Mr Clark: I want to concur with what the Minister of Correctional Services stated earlier, that the bill itself has some very valid points to it. It's truly unfortunate that the member for Sudbury did his dog-and-pony show not too long ago, where he was flashing three bills on one side and flashing another bill on the other side and then questioning the value of those bills. I would never in this House at any time question the value of any bill that is brought into the House by any member. Let's be realistic. The bills that come into this House are brought into this House because of true concern of parliamentarians or the government itself. So for anyone to question the validity or the importance, or say that one is more important than another, is a big stretch and we should never go there. If

they're in the House and the parliamentarians have brought them forth, clearly they're valid, clearly they have value.

I would like to offer a suggestion to the Red Tape Commission. You should look into the Real Estate and Business Brokers Act. The business brokers are required to have a real estate licence, even though they're selling businesses and they're not necessarily selling real estate. So you've got a small problem where you have business brokers who are clearly just selling business and never ever sell real estate, but they are required under the act to have a real estate licence. That's the type of thing we're trying to ferret out and see where it impinges on business and opportunity. So I would encourage the Red Tape Commission to look at that act also.

In closing, I think it's very important that we look at the bill and the face value of the bill and the importance of the bill and all bills that come before the House and not criticize—one is more important than another. That's not the case at all. The reality is that if the bill is before the House we should be debating the bill and not doing a dog-and-pony show.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2127.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Beaches-East York	Lankin, Frances (ND)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguee aux Affaires des personnes âgées et à la Condition féminine
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Brampton Centre / -Centre	Spina, Joseph (PC)		
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	
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Cambridge	Martiniuk, Gerry (PC)		
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Don Valley East / -Est	Caplan, David (L)		
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Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
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Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
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		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Assemblée législative
de l'Ontario**

Première session, 37^e législature

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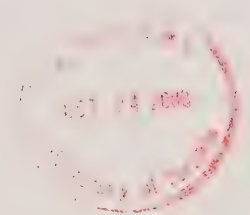
Mardi 17 octobre 2000

**Speaker
Honourable Gary Carr**

**Clerk
Claude L. DesRosiers**

**Président
L'honorable Gary Carr**

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Claude L. DesRosiers**



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

PROPERTY TAXATION

Mr Mario Sergio (York West): Some three years ago, the government tinkered with the old property tax system and in its haste created an even bigger problem. By the end of this year, the province must review again how properties are assessed, and as a remedial measure the government is now considering a 5% tax increase for stores, offices and factories.

A 5% annual tax increase on stores, offices and factories would affect small businesses and small business owners in a very adverse and dramatic way. This will surely sound a death knell for many small businesses in our province. A 5% annual increase in property taxes would impact on thousands of small, local community stores that are so vital to thriving and vibrant neighbourhoods. Small commercial properties in the city of Toronto already pay a disproportionately high tax rate compared to counterparts in the GTA and other parts of our province.

I call on you, Premier, on behalf of the many thousands of small businesses, to abandon any idea to impose a 5% annual tax increase and stop penalizing already overburdened small businesses in the province of Ontario.

LEADER OF THE THIRD PARTY

Mr Doug Galt (Northumberland): Last Thursday, newspapers carried pictures of protesters at Toronto city hall. On page 5 of the Toronto Sun was a photo of the leader of the third party participating in the protest. Not only that, but he was ejected from the council chambers for his unruly behaviour.

What sort of message is the leader of the third party sending to the public? The message that I think he's conveying is that it's OK to use temper tantrums and unruly, mob-like behaviour to get your own way.

One would think that a person in his position, in his role, in his stature as a member of the Ontario Parliament and a leader of the NDP, would at least show respect for elected city officials and for the political process. I should think that the leader of the third party would have

an understanding of how the political process works, but his unseemly behaviour seems to indicate something else: he'd rather play to the audience back home.

Quite frankly, I'm embarrassed both for him and for the New Democratic Party. Is it any wonder that there is a widespread lack of public respect for the politicians and for the public process?

HIGHWAY 407

Mr Joseph Cordiano (York South-Weston): The sale of Highway 407 and the decision by the Harris government to exempt it from paying property taxes has meant the loss of \$90 million per year in combined education and municipal taxes.

Pickering town council recently passed a resolution with the intent to recoup lost municipal tax revenue that they believe was unjustly taken away by the Harris government. The town of Pickering views the exemption of the 407 from paying property taxes as nothing less than a taxpayer rip-off. The exemption places the 407 consortium in the same class as charities, churches, hospitals and schools. The 407 should be subject to taxes, just as railways and utilities are.

This SkyDome was a public asset. It was sold to private interests but still pays property taxes.

The newly privatized Ontario Hydro was not granted an exemption under the Assessment Act and currently pays over \$68 million a year in property taxes.

At a time when municipalities are struggling with the costs of provincial downloading, this decision is nothing short of a taxpayer rip-off. Worst of all, it creates a terrible precedent for future privatizations, if any are done. This decision was a huge mistake by this government and it will cost future generations of Ontarians hundreds of millions of dollars. You should be ashamed of that.

COMMUNITIES IN BLOOM

Mr Bill Murdoch (Bruce-Grey-Owen Sound): It is with great pride that I stand before you today to tell you about the town of Meaford. In only its second year of competition, Meaford, which is located in my riding of Bruce-Grey-Owen Sound, won its category in the national Communities in Bloom program for the year 2000. The town was competing in the population category of 3,000 to 5,000.

The town itself was showcased recently at the 2000 national editions awards ceremony held in Edmonton,

Alberta. Members of the Meaford Bloom Committee were there to proudly accept the award on behalf of every resident in Meaford. Indeed, this award was due to each and every resident of Meaford, for the judges were especially impressed with the community involvement, giving the town a mark of 94 out of a possible 100 for this community involvement and winning the town a special mention in the national awards for this as well. In their ruling, the judges noted that almost every citizen appeared to be involved in some aspect of community life.

The judges wrote that the downtown area, with its historic streetscape, is tidy and litter-free, and the new tree and floral plantings add colour and life to the concrete and asphalt. The town is alive with a multitude of colourful flowerbeds, all maintained by volunteers, in public areas. There is a healthy urban forest and trees are well cared for.

Meaford faced stiff competition for the award, facing off with 10 communities, ranging across the country from British Columbia to Newfoundland. Mr Johnson has already told the House about the honour bestowed upon Stratford-St Marys in winning the classic city category.

I would like to extend my congratulations and those of this House to the residents of Meaford for a job well done. Rural Ontario has once again made this province proud.

POVERTY

Mr Michael Gravelle (Thunder Bay-Superior North): I am pleased to rise today on behalf of Dalton McGuinty and the Ontario Liberal Party in support of the United Nations resolution that declares October 17 as the International Day for the Eradication of Poverty. While the Mike Harris government likes to brag about the economic boom sweeping our province, the sad fact is that many people are being left behind and the number of people living in poverty is on the rise. It's a shameful reality and one that requires action by all levels of government.

Today, the Ontario Association of Food Banks released their report on hunger in Ontario, and the news wasn't good. The use of food banks in our province continues to increase, and 42% of those benefiting from food banks are children. There are increases in the number of employed people using food banks, as well as the number of people who have no income at all. Seniors, who are frequently living on fixed incomes, are using food banks more.

In northern Ontario, the news is even worse. Food bank use is up 15%, partly because food simply costs more in the north. The Thunder Bay District Health Unit recently issued a report that indicated it costs an average of \$545 a month to feed a family of four, \$55 more than it costs elsewhere in the province.

I believe the public expects our government to care and to act to solve these problems. It is said that good governments are defined by how they treat the most

needy in our society. If one accepts that definition, we clearly have failed the test. I believe the neglect of hunger as a health issue and as an object of concern in public policy is unacceptable to all Ontarians. We must simply do better.

1340

RENT REGULATION

Mr Rosario Marchese (Trinity-Spadina): I'm calling upon tenants to help me out. I want tenants—there are 3.3 million tenants in the province of Ontario—to support my Bill 127 that would freeze rents for two years.

It's not a solution. I know that. The Toronto Star in Ontario says it doesn't go far enough. I know it doesn't go far enough, but I also know I can't move that beast on the other side. I can make them a little more reasonable. I can appeal to the public to say it's a reasonable request. Landlords have done well with the Tenant Protection Act. They made huge profits in the last couple of years. They did OK, but the tenants are hurting. The tenants are hurting because your wages have not kept up with the huge rent increases.

Mr Peter Kormos (Niagara Centre): Tories don't like tenants.

Mr Marchese: Tories passed the bill because they know that tenants don't vote. We want you to vote. We want you to vote and we want you to send a message to this government. One of the ways you can send a message is, support Bill 127. Call the Minister of Housing and tell him he has to support this bill. Call Mike Harris and tell him he has to support this bill because it's the reasonable, fair thing to do. Isn't it, Peter?

Mr Kormos: Tell him to resign. Tell Harris to resign.

Mr Marchese: It's a fair thing to do. Call me if you want to reach me and let me know what you think: 325-9092. I want your opinion but, more important, tell Mike Harris what you think.

QUILTS FOR CANCER

Mr Bert Johnson (Perth-Middlesex): As members of the Legislature will know, October is Breast Cancer Awareness Month. I'd like to tell my colleagues about what one of my constituents is doing to fight this disease.

Carol Miller of Russeldale, Ontario, was diagnosed with breast cancer in April 1997. Carol came up with the idea for an exhibit and auction of quilts to generate profits for cancer research. A lifelong quilter herself, Carol knew of the laughter, sharing and support that could result when individuals gathered together for a quilting bee.

She founded the Quilts for Cancer project to support survivors and to support the research that helps them to survive. At her first exhibition, Carol hoped to receive 35 donated quilts. Instead, she received 134. The project has only continued to grow.

This summer the exhibition of quilts was held at the armoury in Stratford. The exhibit moved on to Toronto, and the quilts are currently on display at Casa Loma until the end of October. On November 18, a gala dinner and quilt auction will be held in Stratford, and 100% of the money raised will go directly to the Canadian Cancer Society.

Church groups, women's institutes, community service clubs and individuals from all across Ontario have contributed to the project. I applaud Carol Miller for her efforts in fighting breast cancer and I congratulate her for her hard work and dedication to this important cause. Carol Miller is truly a survivor.

SERVICES FOR THE DISABLED

Mr Pat Hoy (Chatham-Kent Essex): Today I want to speak about my deep concern for the needs of the disabled in my riding of Chatham-Kent Essex and of course all of Ontario. I have met with many parents in the past who rely on the special services at home program to maintain disabled children at home. Though they save this government millions of dollars, this program is being systematically starved. Parents are at the breaking point.

Last week I attended a public meeting hosted by local community living associations. The families of disabled clients served by community living, many of whom live in group homes, have also had their funding strangled by the Harris government, from \$500,000 last year to only \$114,600 this year. It will not even begin to address the highest one or two priorities, our local agency says. To add insult to injury, the aging parents of the 300 remaining residents at Southwest Regional Centre are faced with recurring rumours that the centre will be closed.

At a public meeting I hosted last week, parents said residents must be allowed to remain at SRC. The final 300 are faced with the most serious care requirements and are best served by the excellent staff in the close community at SRC.

I am meeting with Minister Baird this week and I hope I can convince him that all the disabled children and adults in my community urgently require a serious commitment of stable funding. They must have the government's assurance that it will not deny the disabled the dignity, security and care programs they urgently require simply because Mike Harris believes they are not a public priority.

OLYMPIC ATHLETES

Mr Bart Maves (Niagara Falls): It was very exciting to tune in to the Sydney 2000 Olympics this year, especially since seven of the athletes and coaches were from my riding of Niagara Falls.

Today I rise to take some time to make mention of the participation of four of these athletes in a Canadian basketball program. Nikki Johnson, a graduate of A.N. Myer high school, played for the women's national team. Nikki completed a career at A.N. Myer and went to

Simon Fraser University in British Columbia. She fared very well, along with the rest of the women's team, as a defensive specialist on a team that is young and is going to continue to do better.

On the men's team we had Greg Newton and Pete Gurasci, teammates at A.N. Myer. Greg went on to Duke University for a successful career and is playing pro in Europe and South America. Peter went on to Fairfield University and also Simon Fraser University. Pete had an excellent game, especially against Russia, where he scored an amazing 21 points. Greg had a couple of great games against Angola and Spain.

All three of these athletes followed in the footsteps of A.N. Myer's Jay Triano.

Jay went on to Simon Fraser University after Myer and spent over a decade as the captain of the men's Olympic basketball team.

Jay has brought his tenacity and intelligence as a player to the Olympic team to be a coach now. This team will get better and better. They had the best performance they've had in the Olympics, I think, in the history of men's Olympic basketball. Congratulations to those Niagara Falls performers.

NOTICE OF DISSATISFACTION

The Speaker (Hon Gary Carr): Pursuant to standing order 37(a), the member for Hastings-Frontenac-Lennox and Addington has given notice of her dissatisfaction with the answer given by the Minister of Community and Social Services concerning Native Child and Family Services of Toronto. This matter will be debated today at 6 pm.

UNANIMOUS CONSENT

Mr Michael Gravelle (Thunder Bay-Superior North): On a point of order, Mr Speaker: As you know, today, October 17, has been declared by the United Nations as the International Day for the Eradication of Poverty. We know there has been a great increase in poverty in this province certainly over the last several years, and I would like to seek unanimous consent to have all three parties have an opportunity to speak about that issue and our support for that resolution in the House today.

The Speaker (Hon Gary Carr): Is there unanimous consent? I'm afraid I heard some noes.

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader): On a point of order, Mr Speaker: Often if I'm approached before a member of the opposition rises on a request for unanimous consent, all three party House leaders can agree to it. But when we're surprised day after day with requests to put aside other government business in order to have unanimous consent for another idea that is brought from the backbenches of the opposition members, unfortunately we can't accommodate that. We can do it if we have some advance notice, but in this case

there was no advance notice to us. Thank you very much, Mr Speaker.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: In the past, on other items we have in fact approached the government—not on this particular item—and on many occasions the government indicated to us that they won't agree anyway. It's to the point where there's frustration on this side.

The Speaker: I thank all members. Hopefully, the House leaders will get together and agree on it. I know at the end of the day it probably isn't that difficult to do and hopefully the House leaders will be able to agree.

INTRODUCTION OF BILLS

TORONTO GARBAGE LAKE ACT, 2000

LOI DE 2000 SUR LE LAC D'ENFOUISSEMENT DES DÉCHETS DE TORONTO

Mr Ramsay moved first reading of the following bill:

Bill 130, An Act to name the Adams Mine the Toronto Garbage Lake, 2000 / Projet de loi 130, Loi nommant la mine Adams lac d'enfouissement des déchets de Toronto.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1349 to 1354.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic	Curling, Alvin	Martel, Shelley
Bartolucci, Rick	Di Cocco, Caroline	Martin, Tony
Bisson, Gilles	Dombrowsky, Leona	McGuinty, Dalton
Bountrogianni, Marie	Duncan, Dwight	McLeod, Lyn
Boyer, Claudette	Gerretsen, John	Parsons, Ernie
Bradley, James J.	Gravelle, Michael	Patten, Richard
Brown, Michael A.	Hoy, Pat	Peters, Steve
Bryant, Michael	Kennedy, Gerard	Phillips, Gerry
Caplan, David	Kormos, Peter	Pupatello, Sandra
Christopherson, David	Kwinter, Monte	Ramsay, David
Churley, Marilyn	Lalonde, Jean-Marc	Ruprecht, Tony
Cleary, John C.	Lankin, Frances	Sergio, Mario
Cordiano, Joseph	Levac, David	Smitherman, George
Crozier, Bruce	Marchese, Rosario	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 41; the nays are 0.

The Speaker: I declare the motion carried.

The member for a short statement.

Mr David Ramsay (Timiskaming-Cochrane): I just felt it would be appropriate to rename the Adams mine

site since it hasn't been an iron ore mine now for 11 years. As you know, presently it is a lake, and as of October 11 Toronto decided to send its garbage up there, therefore making it a garbage lake.

I would seek unanimous consent to have second and third reading today.

The Speaker: Is there unanimous consent? No.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The Minister of Economic Development and Trade is scheduled to make an announcement at 4 o'clock today with respect to an agreement with truckers. I seek unanimous consent of the House to have the minister give a ministerial statement now, since apparently this deal has been struck.

The Speaker: Is there unanimous consent? I heard some noes.

ORAL QUESTIONS

WATER QUALITY

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Premier. Premier, if Walkerton tells us anything, it's that we desperately need a plan in Ontario to protect our water. The Provincial Auditor told us the same thing back in 1996, and I ran on a platform in 1999 to introduce, at the soonest possible time, a plan that would protect Ontario's water. But what's at issue here, Premier, is your plan—more importantly, the absence of such a plan. So since we couldn't get one from you, we asked the freedom of information people if they might provide us with a copy of whatever work you are doing over there in your government when it comes to protecting our water.

I have before me a draft copy of the plan. But what's really interesting is that when it comes to the action plan, which is found on page 14 of your draft, it is completely blank. It turns out that you have no action plan. This is your sixth year of government, seven people have died in Walkerton, we've been talking about this issue now for years and years, and you still have no plan to protect Ontario's water. Premier, why are you continuing to fail Ontarians when it comes to protecting their water?

Hon Michael D. Harris (Premier): I think you're well aware that the Minister of the Environment has outlined a whole range of initiatives that we have taken, even in advance of the very unfortunate situation in Walkerton and as a result as well of the Walkerton situation, which I think we all acknowledge has been a substantial wake-up call for all governments, and indeed all Canadians and all who are concerned in this issue. There's a whole range of initiatives from new standards, new reporting mechanisms, new rules and regulations that need to be followed. I think you're well aware too that there's been a substantial amount of consultation that's been taking place on groundwater, both on quality and quantity. These discussions were actually begun last

spring, pre-Walkerton, and obviously continued post-Walkerton. We are consulting on even further actions that we can take in the future.

1400

Mr McGuinty: Premier, you have been unmasked. This tells us that you have no action plan of any kind whatsoever, and you are now in your sixth year of government. Toto has pulled back the curtain and, like the Wizard of Oz, you are nothing but hot air when it comes to protecting our water. You can tell us what you will, but we now have a copy of your draft plan, and under the section entitled "Action" there is nothing at all. You have not moved forward in any means, way, shape or form to put in place a new law in Ontario that will protect our drinking water. So I ask you again, Premier, why are you continuing to fail Ontarians when it comes to protecting our water?

Hon Mr Harris: As I indicated, we've made a number of announcements and a number of initiatives. The Minister of the Environment throughout the summer and again in this Legislature—I don't know what copy of what thing you have, but it's not my plan, it's not the government's plan, so maybe it's your plan. I can't comment on that.

I can tell you—for example, you talk about the last six years—we set up the provincial groundwater monitoring network in March of this year and dedicated some \$6 million to this network. The Ministry of the Environment's been working with conservation authorities and municipalities to monitor ground water levels across the province. You saw the new drinking water standards that were outlined this summer. We have signed agreements, for example, with the Hamilton region, Toronto region, Lake Simcoe region, Gray-Sauble, Grand River, Saugeen Valley, South Nation and Upper Thames conservation authorities. I could go on and on. I'd be happy to repeat the initiatives. At the same time, I think you know we are consulting on even more steps that we can take, and if you have something to contribute, boy, we're glad to hear it.

Mr McGuinty: You know, Premier, you're quite right: you can go on and on, but the facts are before you. We got a copy of this document through the freedom of information office. It was supplied by your ministry. It tells us that you have no concrete plan of any kind. The page is completely blank when it comes to protecting Ontario water. It's not that it can't be done, and if you're looking for some advice, as you just mentioned, why don't you look to the BC experience? They've got an action plan and, under their section marked "Action Plan," they've got 58 separate initiatives to protect their drinking water, so it can be done. This, Premier, is what leadership is all about.

I'm asking you again, for the final time on this issue at least today, why do you continue to fail the people of this province? This is the sixth year of your government. Seven people have died in Walkerton, but you continue to fail us by not putting forward a law with real teeth that will protect our drinking water.

Hon Mr Harris: Let me go on: \$4.3 million dollars approved through the groundwater management study involving over 120 municipalities; some \$12.2 million dedicated to groundwater strategy; in 1999 we announced the water-taking transfer regulations to prohibit the transfer of water from Ontario's major basins. So we've been taking a number of actions. This year, as you know, we've placed even more conditions on permits to take water. The Ministry of the Environment continues to meet with stakeholders on this issue. Val Gibbons, right now as we speak, is looking at other jurisdictions, including British Columbia, so we can have not only the steps that we've taken now but absolutely the best assurances into the future.

AIR QUALITY

Mr Dalton McGuinty (Leader of the Opposition): The second question is also for the Premier. I want to move along to another area in which you are failing Ontarians, when it comes particularly to their health and our natural environment. I want to talk about your government's continuing failure to protect our air. Your minister lately has been crowing about some smog plan, which he tells us will be of tremendous benefit to Ontarians. You know what, Premier? There's something he is overlooking and failing to mention, and that is the fact that your smog plan is 100% voluntary. There is no law behind it whatsoever, no teeth of any kind. Your plan to ensure that our air is cleaned up and that we reduce emissions that contribute to smog which makes our people sick and even contributes to premature deaths is voluntary.

I'm asking you now, Premier, once again, to tell us why it is, whether we're talking about protecting our water or cleaning up our air, you are continuing to fail Ontarians.

Hon Michael D. Harris (Premier): Drive Clean is not voluntary and has already been touted as the most comprehensive plan certainly in Canada, and indeed of all the states that we border on.

As you know, our minister of both energy and of environment is currently meeting with his counterparts from across the country, where we have taken a leading role for national standards. We have said, even though Ontario's electricity, for example, has the second-lowest emissions per electron in Canada, second only to Quebec, far lower than other provinces, far lower than the all the states around us, that we're prepared to go even lower. But we're asking the federal government to make sure that other provinces have to meet these standards that we're prepared to go to as well, and let's make sure we don't sign a phony-baloney agreement with the United States that asks them to do less than we're doing.

Our Minister of the Environment is taking a leading role in these areas, both on specific power plants that we have here in the province and on the overall pollutants caused by electrons of electricity, where Ontario is far ahead of these other jurisdictions. We'd like to go further. We'd like other jurisdictions to come with us.

Mr McGuinty: Premier, we have become a laughing-stock in North America. You have become a polluter's best friend. There is no more welcoming jurisdiction in all of North America when it comes to pollution than Ontario. That's happened as a result of things you have done. You've made tremendous cuts to the Ministry of the Environment. You've extended welcoming arms to polluters right across North America. We've become the favourite dumping ground for toxic waste in North America. All of this has happened, Premier, on your watch.

I want to talk about your 1996 smog plan. It is completely, absolutely, thoroughly and 100% voluntary. You're the guy who was supposed to get tough on law-breakers. You were going to crack down on lawbreakers. Once again, you've proven that you're all talk and no action.

Tell us again, why is it that when it comes to either our water or our air, you are failing to protect the rights of Ontarians?

Hon Mr Harris: Here's what some independent, third party people are saying:

Pollution Probe executive director Ken Ogilvie, May 29, 1998: "Some of the major air pollutants, such as sulphur dioxide and total suspended particulate matter in the air, have gone down significantly," when asked by CBC Radio if Ontario's air quality has improved in the past five to 10 years.

The chair of the Windsor air quality committee, Bill Marra: "Time for finger pointing over. Time for action."

That's why we're in Ottawa taking a leading role offering to reduce our pollutants per electron far below any of the northern states, far below any of the states, including New York, far below all of the other provinces save, I will say, Quebec, which does not have any coal-fire generation and, as you know, has a lot more water generation. So at the same time we're there leading the way, asking the federal government, "Let's have national standards. While Ontario is prepared to lead—we're prepared to lead Canada; we're prepared to lead the United States—let's make sure other jurisdictions do the same," for two reasons: both so our industries aren't found to be uncompetitive because we ask them and we are asking them to do more than other jurisdictions, but also that there's a 50%—

The Speaker (Hon Gary Carr): Order. I'm afraid the Premier's time is up.

Final supplementary.

Mr McGuinty: Well, Premier, it's wonderful for you to quote from Pollution Probe some years ago, but you might want to take a look at their recent criticisms of what you've been doing in our province. They point to the fact that 1,900 Ontarians are dying prematurely every year as a result of breathing bad air. They point to the fact that there has been a 400-fold increase in childhood asthma as a result of breathing bad air.

You can stand up in here and proclaim to the world at large that you are at the cutting edge when it comes to protecting our air and our water, but the facts speak volumes otherwise. We have become a national embar-

assment, and this has happened because you have failed to show any real leadership when it comes to protecting our air and our water.

Premier, open your eyes. Why don't you admit the truth once and for all? When it comes to our air and our water and the legacy that we owe this generation and generations yet to come, you are letting this province down.

1410

Hon Mr Harris: I can give you quotes from when you were in government and the disastrous job you did—"Liberal delays in updating air quality standards." You didn't bring updated air quality standards. We have brought updates on the standards. We have set objectives. We have set goals. CEIA Ontario, the Canadian Environment Industry Association, says to Minister Dan Newman in a letter, "Your ministry has shown leadership through its endorsement of the pilot emission reduction trading program that allows emitters to take action to reduce their emissions."

The minister right now is taking action, is leading, is offering to have Ontario go even further, lower than any other jurisdiction right now in Canada, lower than the other provinces are prepared to go. But we're asking for a national plan. We're asking the national government to let's make sure that as our power plants reduce, as our emissions reduce, the same happens in other provinces, and let's not sign an agreement with the United States that they seem to be prepared to sign that says they can pollute far more than we're going to pollute. This is absolute nonsense. It's a lack of leadership, and going into an election, I'm surprised Liberals are so wimpy on the environment.

EMERGENCY SERVICES

Ms Frances Lankin (Beaches-East York): My question is to the Premier. I want to know when you're going to step in and order your Minister of Health to stop slapping bandages on the crisis in our emergency rooms and do something to start cleaning up the mess your government has created. I want you to commit today to reopening the Wellesley emergency room and to cancelling any further plans for emergency room closures.

Despite your minister's smoke-and-mirror announcements, the crisis is worsening. Yesterday 17 out of 22 hospitals in the GTA were turning away ambulances. As of 9 o'clock this morning, 12 hospitals were turning away ambulances. By noon that number was back up again to 17. On November 9, 1999, the same number of hospitals—17—were turning away ambulances at the beginning of the flu season. The newspaper headlines screamed "Emergency Rooms Overflowing." Here we are in October. It's not even flu season yet and hospitals have been turning away ambulances in record numbers for months. In fact, under your watch the numbers have tripled over the last two years.

Premier, I want you to step in. Will you please commit today to cancelling any further closures of emergency rooms.

Hon Michael D. Harris (Premier): I appreciate the advice and, as always, I'm happy to pass the advice on to the Minister of Health. But let me tell you that the Minister of Health, as you know, has already responded to get ready for this season with significant announcements of increased money for emergency rooms. Yes, it's true, some emergency rooms are scheduled to close down, only so that we can rapidly expand the staff and resources at other emergency rooms. In addition, there have been a number of other initiatives the minister has taken as part of this strategy, working with our partners, working with nurses, doctors, hospitals, paramedics and ambulance drivers. So to suggest that we're not taking action is certainly not correct.

I appreciate the member's concern. It's a challenge we are wrestling with, indeed all across Canada, and it's a challenge the minister takes very seriously. I'll be happy to pass any other comments or advice you have on to her.

Ms Lankin: Premier, the question was, will you step in? Your minister has been promising immediate steps since 1998 and the situation continues to get worse. Listen to these numbers: in 1995 the total number of hours that GTA hospitals were turning away ambulances was 12,700; in 1996 it was 17,000; in 1997 it was 25,000; in 1998 it was 39,000; last year, in 1999, it was 47,700. The situation continues to get worse.

It is nothing now for ambulances to line up for 45 minutes to get patients off their stretchers. We talked with someone who told us that at a hospital on Sunday, here in Toronto, there were six ambulances backed up and it took over two hours to get the patients off the stretchers and into that hospital. That means they weren't available for other calls. Do you get it? The ERs are backed up, the ambulances are backed up, and now the emergency calls on dispatchers' desks are getting backed up. Would you want to be the parent of a sick child, knowing that your emergency call has gone on to a pile waiting for an ambulance to be freed up?

Premier, please. It is time for you to step in. Will you commit today to reopening the Wellesley ER and cancelling the closure of any further emergency rooms in the GTA?

Hon Mr Harris: I appreciate the comments and advice. It is clear that emergency rooms are being used dramatically more than ever in the past because, even as we've increased capacity, these challenges are there.

The member suggests that we haven't done anything since 1998. We've invested over \$725 million dollars into improving emergency access since 1998. Had the federal Liberals not slashed funding, we might have been able to put it in sooner, but nonetheless, that's how much we did without their funding.

As you know, we are pre-committing already in spending—in anticipation that they'll at least give us back what the Liberals slashed out of our budgets come next spring, unless there is a mini-budget pre-election tomorrow where we get the money sooner; we'll be happy to wait and see that—\$115 million in alternative funding plans to ensure physician coverage in the emerg-

ency rooms; \$100 million to improve access to emergency rooms, a number of flex beds to be available, even though they're not required for the ongoing operation of the hospital, to make sure we're funding them on a stand-by basis for the emergency rooms; immunization programs.

So clearly, I think you would agree, we have done a lot. But I think you would also agree—

The Speaker (Hon Gary Carr): The Premier's time is up.

Ms Lankin: Your minister has been making announcement after announcement since 1998, and the situation continues to get worse. Your latest announcement was nothing more than smoke and mirrors. It amounts to shifting more money out of hospital operating budgets to pay doctors. The truth is that each hospital is going to have to come up with \$90,000 per emergency site in order to get the new plan in place, and they're already facing deficits.

The emergency room at Hamilton General was so clogged yesterday that today, they're cancelling surgery. Even if they had the money to open new beds, they can't hire the nurses to staff those new beds. The \$90,000 could hire two nurses.

You continue to close emergency rooms in the GTA and yet your minister is baffled as to why there's a problem in emergency rooms. You extra-bill hospitals for doctors and yet you wonder why you can't hire nurses. It's pretty clear that some emergency action is needed from your government. Will you commit today to reopen the Wellesley emergency room and to cancel all further closures of emergency rooms in the GTA?

Hon Mr Harris: I appreciate the comments about Hamilton. I don't know how Wellesley is going to help Hamilton.

But we have done a number of things. Any time elective surgeries are cancelled, we're disappointed. I know it happened with your government and the Liberal government. It happens from time to time in unavoidable ways.

But I can tell you that there were no surgery cancellations at the Hamilton General site on October 16. The hospital has opened 12 flex beds in response to the ER admissions, effective yesterday. No other hospitals in Hamilton have cancelled elective surgery. There's \$115 million in AFP funding for physicians to assume emergency room coverage. HHSC and St Joseph's are eligible for this funding.

Clearly it is a growing challenge. Let me say to the member—let me be the first, and I think the minister would as well—that we've not solved this problem completely. It hasn't been solved across Canada; it hasn't been solved in Britain; it hasn't been solved in Europe; it hasn't been solved in North America. To suggest that this government and this minister have not, for the first time—and you know that 10 years of inaction and the disgraceful record of your party, with the cancellation of long-term-care beds—

The Speaker: I'm afraid the Premier's time is up.

CHILD POVERTY

Ms Shelley Martel (Nickel Belt): I have a question to the Premier regarding why so many Ontario kids are living in poverty. In the past two weeks, two very important reports have been released which clearly show the very negative impact that your government is having on kids.

The Ontario Federation of Indian Friendship Centres showed that 52% of aboriginal children living off-reserve live in poverty. The Ontario Association of Food Banks showed that the use of food banks by families has jumped 18% from last year to this. There are now 118,106 children using food banks. Premier, it's clear that your housing and your social assistance policies are having a very negative, detrimental impact on Ontario kids. How can you possibly justify that?

1420

Hon Michael D. Harris (Premier): I think you are aware we have taken a number of initiatives to both improve the economy and improve the lot of low-income people: massive tax cuts, when you had them taxed at one of the highest rates in Canada, and a number of initiatives to allow them to help themselves in working co-operatively, breaking the cycle of dependency.

I know there are studies out there. I'm happy to report to you a study from Olivia Chow, hardly a friend of this government, a New Democratic Party member I believe, who says: "Outlook for Children 'Rosy.'"

"It's a very rosy picture," child and youth advocate Olivia Chow said as she released her report."

The latest report shows that the city's children and youth, while there are still some on waiting lists for affordable housing, while there are still some living in shelters, showed some marked improvement over two years ago.

Ms Martel: The question was, how can you justify the level of child poverty in Ontario, which is worse than ever before in the history of this province? Two weeks ago you went to the Toronto Board of Trade and encouraged companies to invest in kids. When is your government going to start investing in kids?

You could do any number of the following to stop this slide of child poverty: you could restore rent controls; you could raise the rental allowance for families living on social assistance; you could stop the clawback of the national child supplement for families living on social assistance; you could build affordable housing again; you could raise the pay of the lowest-income families in Ontario who live on the minimum wage.

You've done none of those things. It's very clear that the economic prosperity in this country hasn't trickled down to the poor; in fact, in this province, it has completely bypassed the poor. I ask you again, when are you going to take some concrete action to stop child poverty in Ontario?

Hon Mr Harris: Even with the \$11-billion deficit, a disastrous record of your government, I think the report you're quoting from is a 1994 report, which pretty much

explains not only the disastrous shape the province was in but how that terrible economy was affecting women and how it was affecting children.

Olivia Chow's report, you see, is a current report, not 1994 data. This—

Interjection.

Hon Mr Harris: I'm sorry, if the member from Riverdale does not care about the statistics as she screams and yells about the city of Toronto, then I am surprised. We are very concerned about Toronto. If there is one child living in poverty, it is one child too many. If there's one hungry child, if there's one homeless child, it is one too many.

I think of the myriad of programs that we have brought forward. Olivia Chow, obviously a New Democratic Party member, in her current study says it's "a marked improvement over two years ago, when it was doom and gloom for Toronto's children." She talks about the numbers of improvements.

I can tell you, just the fact that 550,000 men, women and children have broken that cycle of dependency on welfare that you condemned them to for—

The Speaker: Order. The Premier's time is up.

SCHOOL CLOSURES

Mr Dalton McGuinty (Leader of the Opposition): My question's for the Minister of Education. The Ottawa-Carleton District School Board, as you may know, is struggling at the present time to make some very difficult school closure decisions. They want to make sure that they get it right. As you may be aware, the population in the Ottawa area is exploding. The best available demographic information will be available in the middle of December, so you have on your desk now a letter from the board asking that you grant them a one-month extension.

At the present time, you've told them they have until the end of this year, December 31. They're asking if they might have until January 31 so that they can make their decisions based on the very best available information. I think that's a reasonable request, Minister, don't you?

Hon Janet Ecker (Minister of Education): I'm well aware that the school board has asked for extra time, unlike other school boards. I also understand that they have been asked for the information upon which they believe they have been disadvantaged by these reporting requirements.

I should stress that school boards have many reporting requirements. This is not a deadline for this school board to close schools or not close schools. We're talking about the funding process that school boards have been well aware of for several years now, so there's nothing new or untoward there.

The local MPPs have been involved with this board to try and work out this issue with them within the community. They've been asked for information upon which they based this request. They have claimed population figures which I gather they have not yet been able to

produce. So the ministry is certainly interested in talking to the school board, listening to concerns they may have, but I would like to stress to the honourable member that all school boards' trustees are required to make difficult decisions about allocating their space. That's not new. That is something that school board trustees have done for many, many years, and that responsibility continues.

The Speaker (Hon Gary Carr): Supplementary.

Mr Richard Patten (Ottawa Centre): Madam Minister, I gather you are open to the idea of this request. The school board is looking for data that are being done by the planning department of the regional municipality. That won't be available. This is new information that really illuminates the population boom that is occurring at the moment.

We are totally unanimous within the city. Your members on that side will know this. The board of trade has sent a letter to you as well asking for a one-month extension. It costs nothing, it changes nothing in the process, and it allows the board to make their decisions on school closures based on more recent factual data. Is that not fair? Is that not something that you would want to support to be helpful to a very difficult process in the Ottawa area?

Hon Mrs Ecker: I am surprised, coming from the members opposite, that now since the board of trade says something we're supposed to immediately jump, and yet when our hard-working business community is sometimes consulted on initiatives, they like to criticize us for doing that.

First of all, I would be very surprised if out of the blue, all of a sudden thousands of new people are showing up somewhere in any community and that has not been planned, has not been foreseen. School boards have been asked—and again this is not new. They do long-range planning here. They are well aware of the fact that they are to be submitting information this fall to allow us to better support them in the decisions they make for accommodation. They are well aware of that process. They are to be submitting those long-range plans, and if they have new information I'm sure they can submit new information to the board. We've done that before. We're quite prepared to do that again.

We've heard from some boards, "Oh, well, there's information coming, there's new data." There's new data out of the blue, and it never materializes. We're quite prepared to continue to work with this school board, as we are with all school boards, as they make the difficult accommodation decisions that trustees are elected to make.

We understand that challenge and we'll continue to work with this school board.

FIREFIGHTERS

Mrs Julia Munro (York North): My question is for the Minister of Natural Resources. As I arrived this morning, it was clear there was a special group of visitors on the front lawn of the Legislature. Can you please tell this House about this group?

Hon John Snobelen (Minister of Natural Resources): I thank the member from York North for the question. Indeed, as members from all parties arrived this morning and went to their various caucuses, there was a demonstration of our fire rangers and some of the techniques they use to extinguish fires, not only in Ontario but around the world. The member from Timiskaming-Cochrane was able to get out from caucus and come and join me in greeting our fire rangers.

Every member in this chamber knows that earlier this summer the people in Montana and Idaho faced some very serious conditions—6.9 million acres on fire, a threat to personal property and, more important, lives. When the Americans put the call out for some help with those fires, we responded within three days: 1,300 Canadian firefighters went and did us proud and over half of those firefighters were from right here in Ontario. The reports have come back on their professionalism, their courage, their leadership and, more important, their kindness.

Applause.

Hon Mr Snobelen: The Premier and I had a chance to acknowledge our fire rangers last week in Sault Ste Marie, and I'm glad all my colleagues have joined in doing that today.

1430

Mrs Munro: I am pleased to see that—

Interjections.

The Speaker (Hon Gary Carr): Would the member take a seat. Order. It was very gracious to give our guests a hand. I don't think we need any shouting while the question is being asked. It was a fine gesture on all the members' parts, on all sides. It's now time to carry on with the supplementary.

Mrs Munro: Thank you, Minister. I am pleased to see that not only were our—

Interjections.

The Speaker: Would the member take a seat. Order. Member for Toronto Centre-Rosedale, I just called order and I'm not even in my seat and you're yelling at her. I'd appreciate—otherwise, we'll have to name people. I think this one's a non-partisan issue where everybody agrees.

Supplementary.

Mrs Munro: Thank you, Speaker, and thank you, Minister. I am pleased to see that not only were our fire rangers here to be recognized, but also to give a public demonstration of some of their techniques. In recognition of their achievements, the fire rangers presented a permanent record of the Montana experience to the Archivist of Ontario. It seems to me that our fire rangers should have an enviable reputation. Is the American achievement consistent with our international reputation?

Hon Mr Snobelen: Again I thank the member for her question. In fact, we have had delegations from around the world visit Ontario to visit with our fire management program and look not only at the new CL-415s that were added to the fleet two years ago to help make us one of the most modern firefighting groups in the world, but

also to look at our training techniques, which are the best in the world. I can tell you, as the Premier mentioned in Sault Ste Marie last week when he was praising our fire rangers from across Ontario who did us so proud this year, that when those people leave Ontario they are not only enthusiastic about our equipment but, more importantly, they are enthusiastic about our people and the character of our people who take on this very brave work. Again, we thank them for making us proud right around the world.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. As everyone in this House knows, some more than others because they've been back to school in their ridings, there has been turmoil in schools that you started. Six weeks ago, you passed measures that made it possible to lose out on extracurricular, to lose out on teaching quality in places like Kawartha, in schools—I have a list here that touches every single riding, where there has been student protest.

Minister, it's your responsibility and now we hear that you are going to do something about it. What we hear you're going to do is to invoke some of Bill 74, some of what you put on the table, that you're going to compel boards to compel teachers.

I want you to understand what that means. That would be a failure. It would be provocative, it would be disruptive, and you'd be missing the point. What students and parents and teachers have been saying to members of this House is, "Why don't you stop fighting and put peace back in our schools so that kids can learn properly?" Minister, will you do that instead?

Hon Janet Ecker (Minister of Education): Yet again the member is misinformed. That is not what we're doing.

Mr Kennedy: The minister has to do something, but she doesn't have to do the wrong thing. This minister has had her head in the sand for the last number of weeks. Some 76% of public schools, according to the Ontario Principals' Association, have lost some or all of their extracurricular activities. You are worsening the conditions for teachers such that in the Sandwich Secondary School, a teacher, Adam Vially—he coached hockey and soccer; he sat on three school committees; he taught grades 11 and 12 science. On October 6, he resigned because of your new teaching system that is robbing kids all across Ontario.

Minister, you say you're not going to invoke Bill 74. I challenge you to stand up in this House and tell us what you're going to do so we don't lose more good teachers like Mr Vially and that we actually have better education for our kids. You have lowered education. You have taken extracurricular away. What will you do that will actually improve things for kids this year?

Hon Mrs Ecker: What I said was we would not do what the honourable member said we were going to do.

First of all, we have done many things. We will continue to do many things to make sure our students receive the services they need and deserve, including extracurricular activities.

There are thousands of teachers who are providing extracurricular activities because they care about the students. I know that because I've been in schools, Mr Kennedy, and I don't need staged field trips to do it, either. There are thousands of teachers who are providing extracurricular activities, and some of those teachers are getting considerable criticism in their community for doing that from some people. If he doesn't recognize the work those thousands of teachers are doing, I would suggest he should get out there in the schools and see the work they are doing, because it is indeed happening in other communities—

The Speaker (Hon Gary Carr): Order. Minister, take a seat. The member has asked the question; we need to hear the answer now. We don't need shouting across to her when she's trying to answer.

Hon Mrs Ecker: Thank you very much, Mr Speaker.

In those communities where we do have problems because some teachers have chosen to exercise work to rule—we don't agree with that. We share the concerns of the students that they're not getting the extracurricular activities they should have. As I've said many times, I've begun meetings with student trustees and we're quite prepared to take appropriate steps when they are required, to try and fix this issue in those communities where teachers are choosing to continue to work to rule. It's not fair to students; they deserve better. I would like to focus our attention in this House yet again on those teachers who are indeed doing those activities, which the honourable member obviously has not noticed that they are doing.

FEDERAL GOVERNMENT POLICY

Mr Ted Chudleigh (Halton): My question today is to the Minister of Economic Development and Trade. The former Newfoundland Premier Brian Tobin was today sworn in as the federal Minister of Industry, jumping to the federal government, despite his claim a year ago that he would fulfill his term as Premier, another flip-flop—

Interjections.

The Speaker (Hon Gary Carr): Would the member take his seat, please. Sorry for the interruption. The member for Toronto Centre-Rosedale, that's your last warning. One more and I'll have to name you. Sorry, member for Halton, for the interruption.

Mr Chudleigh: The former Newfoundland Premier Brian Tobin was today sworn in as federal Minister of Industry, jumping to the federal government despite his claim a year ago to fulfill his term as Premier, another flip-flop—which is understandable, the man being a Liberal.

In the past, the federal government promised that it would treat all provinces fairly when it comes to seeking new investments and jobs. However, given the federal

government's record of handling finances, for instance, under Human Resources Development Canada, and the likelihood of a federal election—

Interjections.

The Speaker: Order. Member, take a seat. We'll just let the clock run down, I guess. Member for Halton.

Mr Chudleigh:—and the likelihood of a federal election coming any day now, Mr Minister, do you believe that the new minister will maintain the federal government's long-standing policy of fairness and will you remind him of that policy?

Hon Al Palladini (Minister of Economic Development and Trade): I did have some difficulty hearing the member's question, but I think I have the brunt of it.

I want to take the opportunity to congratulate Mr Tobin on his new appointment as the federal minister. I certainly look forward to working with him to see how we can bring continued investment to the province of Ontario.

I believe the member is correct that the previous federal minister, the Honourable John Manley, did make a promise that all provinces would be treated equally when it comes to attracting investment into Canada. The federal government should not play favourites among the provinces when it comes to creating jobs and investment opportunities.

I certainly look forward to working with the new federal minister, and I trust that Mr Tobin's appointment will mean a continued assurance that the federal government will maintain their ongoing commitment to treat all provinces equally.

1440

Mr Chudleigh: The Quebec government and the company, Mosel Vitelic, have asked the federal government to provide special assistance to establish a semiconductor plant in Montreal. I understand the plant was being considered for Burlington, in my riding, but that location did not reach the short list, because the Ontario government would not put any money into the project. Is it possible that the change in federal ministers will be followed by an announcement of federal assistance for that project?

Hon Mr Palladini: While working with the—

Interjections.

The Speaker: Some of the noise, I say to the minister, is coming from his own bench. Would the government benches let the minister answer.

Hon Mr Palladini: I want to say that while working with the city of Burlington, I know how hard they worked to try to attract this investment. Our government was very much involved on a day-to-day basis, and we made it very clear from the beginning that the province of Ontario would not provide direct financial assistance to companies seeking to locate in Ontario. We believe lowering taxes and creating an excellent economic climate is the best way to attract investment. I can assure the member that the government of Ontario will be keeping a close eye on this investment and making sure the federal government's long-standing commitment to treat all

provinces alike is not broken. I certainly hope that Minister Tobin, as a former provincial Premier, understands there must be a level playing field when it comes to attracting investments across Canada.

SCHOOLTEACHERS

Mr Rosario Marchese (Trinity-Spadina): I have a question to the Premier. You and the minister behind you are driving away our children's best and brightest teachers in the middle of a national teacher shortage. Maybe you don't know this, but we are on the brink of a crisis. Sixty percent of our boards are experiencing a teacher brain drain. I'll give you one example.

Andrew Barally is one person who is the kind of dedicated professional we need—that you need—in the classroom, an award-winning science teacher, a head hockey and junior soccer coach, and a student adviser. Do you know where he is today? I'll tell you: he's working in Detroit as a computer analyst. Your vindictive war against teachers has turned him and many like him away from the teaching profession. Why are you and your minister hell-bent on creating education orphans in Ontario?

Hon Michael D. Harris (Premier): I assume that if he's teaching in Detroit, he's teaching for less money but paying lower taxes and probably working longer hours. Clearly our goal is to be a magnet for the best and brightest. We believe we are, in offering excellence in curriculum, in offering opportunities, in offering less than the national average for actual classroom times so there's more time for preparation, for counselling, for one-on-ones and for co-curricular activities. As you know, we pay among the highest wages in North America, but we think that's fair. We think we have good teachers; we think they are professionals.

I am aware of the demographics, of the number of teachers retiring. I think we had a period of time when we had fewer than normal retirements, because under your government the economy was so lousy there were no other jobs for them. There are other opportunities; there are other challenges. As you know, we've dramatically increased the number of teacher places in our universities and our colleges of education. As a former teacher, a profession I'm very proud of, I believe the future is very bright for teachers in this province as we move from mediocre and OK to the best in the world.

Mr Marchese: The reasons have nothing to do with salaries and nothing to do with your tax cuts. Vector Research, which has done a study on this, tells us that the reasons for the teacher brain-drain are the following: teacher burnout, a reduction in support services for schools, deteriorating working conditions and a negative public perception of the teaching profession. That's what the study reveals. That's what I'm asking you to comment on.

I've got testimonials from two teachers who are sick of what you are doing to the education system. Dale Huddleston, a devoted and passionate teacher, coach for

23 years and national volleyball official, is desperately looking for a new job outside of teaching. You're driving him out of the teaching profession. Mike Doyle, head of physical education and a long-time coach—you're driving him out of the educational system too. Nothing to do with salaries and nothing to do with your tax cuts; it's all to do with the fact that you are turning him off from a profession that he loves.

You, Minister, are creating an entire generation of children who will never know the joy and rewards of a first-class education. Premier, you and your minister have got to address these questions, not the issue of tax cuts. That's not why they're leaving. Speak to that if you can.

Hon Mr Harris: I think the member is wrong.

FIREFIGHTERS

Mr James J. Bradley (St Catharines): I have a question for the Premier. We were all delighted to pay tribute to the forest firefighters who are in the gallery today. They have been honoured by representatives of all three parties. They've done just an outstanding job on behalf of the people of Ontario, both here in Ontario and in other jurisdictions.

My question is this: if they have done such a great job for the people of Ontario, why is it that the Premier has cut from 186 to 166 the number of fire crews, and why has he closed 17 of 38 fire houses?

Hon Michael D. Harris (Premier): I appreciate the question, because, as the member knows, when it comes to fighting fires we have an unlimited budget. We budgeted a certain amount of money. In a year like this past year, of course, we had very few fires in Ontario and so our budgets would be down. Last year, when we had a considerable number of fires—I think for a couple of years—you would have found that we made every nickel available that was required and we would go way over budget. That's the nature of firefighting budgets.

But the member is quite right. We have consolidated into three centres of excellence throughout northern Ontario on the advice and recommendation of the professional firefighters themselves. We provided, as you've heard, new equipment, nine new water bombers after 10 years of inaction. The last time we had new water bombers was when Bill Davis—I think you wanted him to buy an executive jet and Bill Davis said, "No, we're going to get two new 415 water bombers." That was the last time. Then we had 10 years with you and the NDP—

The Speaker (Hon Gary Carr): Order. The Premier's time is up.

Mr Bradley: It's quite obvious that the Premier should be going into the business of writing fiction, because many of the answers in the House do not always correspond with the actual facts that are presented.

You see, Premier, when you extol the virtues of a group in our province, when we recognize how important they are and the service they provide, and when they make recommendations to you—I know of no forest firefighter in the province who said, "Please cut the

number of crews by 20. Please close so many of the fire bases." In other words, you've closed 17 of the 38 fire bases in the province. If you are truly recognizing the importance of these individuals and these groups, would you not want to invest the appropriate amount of funding in them and ensure that we have the full 38 fire bases and the full 186 crews?

Hon Mr Harris: First of all, let me correct the record. There has been no funding drop for firefighters this year—none. So let's get the record straight on that.

No, you would not want to sit pat with old equipment and old ways. You would want to constantly modernize, constantly be on the leading edge. I think it's acknowledged, when we saw the reports of the firefighters and the techniques that came back from Montana—we saw reports there that said, "The Canucks are coming. Now we're going to see some action." So we've always taken a leading, advocate role.

We have consolidated into a number of centres on the advice—

Interjections.

The Speaker: Premier, take a seat. Sorry. Member for Windsor West, I can't hear. You looked at me and then you turned and you started shouting. I can't continue.

Interjection.

1450

The Speaker: You're still shouting. It doesn't matter to me if you want to spend the day out; that's fine. It doesn't matter to me. I've said this before. But I'd appreciate, at least, if you're going to do it, that you don't look right at me and start doing it.

Sorry for the interruption, Premier.

Hon Mr Harris: There's enough hot air in here; we might be able to put out even more fires in the future. That might be a better use of the rhetoric we hear from the opposition anyway.

Let me say that when you look at the period from 1985 to 1995, and particularly 1985 to 1990, when the economy was stronger, the shameful lack of reinvestment in the forest industry and forest management plans and firefighting and not one new aircraft—as I said, I think the last time we had aircraft—

The Speaker: Sorry, Premier.

New question.

AGGRESSIVE DRIVERS

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Transportation. Aggressive driving, including speeding, tailgating and improper lane-changing, is a safety issue for drivers throughout this province, yet we know very little about the cause of the problem. Why do people drive aggressively? Who is likely to do this, and under what circumstances?

How we effectively combat aggressive driving is one of the keys to enhancing road safety in Ontario. Can you tell me what action you're taking to advance our knowledge about aggressive driving behaviour?

Hon David Turnbull (Minister of Transportation):

I certainly thank my colleague the member for Peterborough for this question. He's absolutely right. Aggressive driving is a very serious concern. We know the number of traffic fatalities could be significantly reduced if we could stop aggressive driving.

MTO is sponsoring a Web conference on aggressive driving behaviour, with discussions taking place on-line. The conference began yesterday and will run through November 30. The conference will provide easy access to new and existing research on aggressive driving, and a discussion forum for road users, safety researchers and policy staff worldwide. This is an opportunity for the public to learn more about aggressive driving. The research topics were chosen by the Ontario Advisory Group on Safe Driving.

Mr Stewart: I applaud you for taking this innovative approach to advancing our knowledge about aggressive driving. What else can you tell me about this conference? Specifically, how can members of the public participate and how will this conference enhance your ministry's efforts to reduce aggressive driving in Ontario?

Hon Mr Turnbull: The conference is being held at www.aggressive.drivers.com. The site will be open after the conference for researchers to review the transcripts and all of the available research. We will discuss and debate the nature and causes of aggressive driving and possible solutions.

It provides a one-stop information source—

Interjections.

The Speaker (Hon Gary Carr): Order.

Sorry, Minister. I wasn't yelling at you for order, but I know it is confusing when you yell at the members.

We're getting down to where we're going back to the official opposition for the next question. Hopefully, we can get to the question and not have the time run out. We will do that if we don't shout. Particularly when a minister is further down the line, I can't hear down there when people are shouting across.

Minister of Transportation. Sorry for the interruption.

Hon Mr Turnbull: This is an extremely cost-effective way of getting this very valuable information. The public is free to log on and participate in this conference and post comments on the Web site. They can register free of charge because, as we have always said, road safety is our top priority.

POVERTY

Mrs Marie Bountrogianni (Hamilton Mountain):

My question is for the minister responsible for women's issues. On September 20, a coalition representing over 80 women's groups came to Queen's Park to ask for all-party co-operation on a package of emergency measures which they are asking to have implemented in this session of the Legislature. Today, on the lawn of Queen's Park, women again came to ask for immediate action to end poverty and violence against women. They too have solutions for this government.

Minister, as you know, poverty and violence against women are inextricably linked. Women represent some 57% of all persons living in low-income situations. Notwithstanding the Premier's earlier remarks, single mothers with children under seven have poverty rates of over 80%, and approximately 30% of them are on social assistance. It's no wonder that 60% of shelters report that women prefer often to return to abusive situations where they can at least feed and clothe their kids, rather than stay safe.

It's been nearly a month since the cross-sectoral strategy group came to Queen's Park asking for support. Minister Flaherty was personally handed a copy of these demands. Dalton McGuinty was proud to sign these measures on behalf of the Ontario caucus. Will you rise in the House today and commit to the women of Ontario that you will finally sign on to these emergency measures?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Let me say that in this House we're all concerned about poverty. We're all concerned about women's safety. We're all concerned about domestic violence. We all work to do things that we think will make a better life for people, and for women especially in that area.

We have reviewed a number of the proposals that have been put forward. We've brought the ministries together to be able to talk about the proposals that are brought forward. Let me remind the House that we spend over \$135 million every year—we will do that in 2000-01—on programs and services that prevent violence and address violence issues with women all across this great province. In 2001-02 this number will once again increase, to \$140 million, so commitment certainly is happening on this side of the House.

Mrs Bountrogianni: Minister, these commitments were there before the sectoral group came and brought to your attention that they weren't enough. I'm happy that the three ministries finally got together; the Attorney General didn't even know about these requests. However, what is your action plan, Minister?

Concern is a good first step, but without action it's actually a slap in the face of the women of Ontario, a patronizing statement. You are failing the thousands of women who were last year admitted to shelters in Ontario. You are failing the women who are abused by a partner and you are failing the women and young girls who have been sexually assaulted. Many of these women struggle to provide for their families on incomes far below the poverty line. A recent study, on top of many other studies, showed that 20% of children living in poverty in Ontario have health problems: asthma, nutritional difficulties.

The cross-sectoral group gave you a very clear list of demands. They recognize that poverty and domestic abuse are linked and, where's there's domestic abuse, there's high potential for child abuse. I have children. I know you have children. Our children can't be guar-

anteed safety unless all the children in Ontario are guaranteed safety. Will you stand up, Minister, and agree to the demands of the cross-sectoral group now?

Hon Mrs Johns: Let me say that this government is committed to improving the lives of women and families all across this province. In effect, what we do is we work with women's groups all across the province to ensure we've moved toward economic independence. We have some wonderful statistics of things that have happened in Ontario in the last five years: 768,000 new jobs have been created since September—

Interjection.

The Speaker: The member for Beaches-East York come to order please. Minister.

Hon Mrs Johns: There have been 768,000 new jobs created since September 1995, and 550,000 people have left the welfare rolls. That's good for women and children in this province. In 1999, 42% of the gains in female employment took place in the higher-paid industries such as manufacturing, educational services, finance, insurance, real estate.

When they talk about me meeting with groups, I have to tell you that I'm meeting this afternoon with two of the groups that they had press conferences with this morning. I've made efforts to try and arrange meetings with the group they're talking about. We're doing all we can to meet with women's groups all across the province to ensure that I represent the women of Ontario in this important issue.

1500

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): The northern health travel grant continues to be a source of great frustration for everybody in northern Ontario; petitions continue to come in. I'd like to read another one.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which

creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

I support this strongly, will continue the fight and am proud to add my name to this petition.

EDUCATION FUNDING

Mr Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario which reads:

"Whereas the Ontario government wants to take an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergarten, libraries, for guidance, physical education, the arts and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government would remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally elected community-minded trustees,

"We, the undersigned Ontario residents, strongly urge the government to repeal" any anti-education bills "and create an accessible public consultative process for students, parents, teachers and school board administrators to study alternative solutions that have universal appeal and will lead to an improved educational system."

Since I agree, I signed my name to this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and it concerns northerners demanding the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature, as I am in complete agreement with it.

PENSION FUNDS

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Health announced a new model on January 25, 1996, for improving and coordinating long-term care services. The amalgamation of the home care and placement coordination services function did shift to community care access centres (CCACs). The governing bodies of various pension plans, namely the Ontario Municipal Employees Retirement Savings (OMERS), Victorian Order of Nurses (VON), Family Services Association (FSA) and Hospital of Ontario Pension Plan (HOOPP) have failed to successfully negotiate agreements for a transfer of pension assets.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the pension adjustments are a transition item which the ministry has not yet addressed. We are requesting a one-time adjustment to enable the transfer of pension assets. This transfer is required to ensure that employees transferred from predecessor employers (namely health units and the Victorian Order of Nurses) to community care access centres as part of the mandatory government reform initiative for 'single access to long-term-care services' receive pension benefits equal to those which they formerly enjoyed. Provincially over 3,000 health care workers are affected. The individuals who transferred to the CCACs had no control over what would happen to their prior pension contributions. Unless a one-time adjustment is made to enable the transfer of reserves, the typical employee will lose about \$2,000 annually in pension benefits compared to the position they would have been in had they been allowed to remain in OMERS."

I affix my signature to this petition.

McMICHAEL CANADIAN ART COLLECTION

Ms Caroline Di Cocco (Sarnia-Lambton): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection and vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery's ability to raise private funds, thereby increasing its dependency on the taxpayers; and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I affix my signature.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Legislative Assembly of Ontario:

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of our water needs is completed. An independent non-partisan body should undertake this evaluation."

I very happily sign my name to this petition.

RENTAL HOUSING DEMOLITION

Mr Michael Bryant (St Paul's): I proudly submit this petition to the Legislative Assembly of Ontario:

"Whereas the apartment buildings at 310 and 320 Tweedsmuir Avenue," and many other apartments in the riding of St Paul's, "are slated for demolition;

"Whereas the vacancy rate in the city of Toronto is currently below 1%;

"Whereas many of the residents are elderly and/or disabled on fixed incomes;

"Whereas the Ontario Municipal Board has determined that the city of Toronto has no control over its own rental housing stock, and in turn;

"Whereas the Mike Harris government has made no attempt to assist the residents to keep their apartments or find alternative living arrangements;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop the demolition of rental housing."

I affix my signature in support.

SNOWMOBILE LEGISLATION

Mr Rick Bartolucci (Sudbury): This petition is to the Legislature of Ontario.

"Whereas Bill 101, An Act to promote snowmobile trail sustainability and enhance safety and enforcement, does not exempt trappers from driving a motorized snow vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle;

"Therefore, we, the undersigned, petition the Legislature of Ontario as follows:

"That subsection 2.1(1) of Bill 101, 2000, should be amended to:

"No person except trappers with a valid trapper's licence shall drive a motorized vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle."

I affix my signature to this petition, as it is very important to trappers in northern Ontario.

1510

ORDERS OF THE DAY

TIME ALLOCATION

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts, when Bill 119 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered to the standing committee on general government; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the committee be authorized to meet beyond its normal hour of adjournment on the final day until completion of clause-by-clause consideration; and

That, at 4:30 pm on the final day designated by the committee for clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than November 16, 2000. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That, when the order for third reading is called, the remainder of the sessional day shall be allotted to the third reading stage of the bill, the debate time being divided equally among the three parties, after which the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That, the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Tony Martin): Mr Runciman has moved notice of motion number 64. Debate?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to begin debate on the closure motion by saying that this is a typical pattern of the government. The public should be aware that we're dealing with a bill that's 135 pages long, that deals with, I think, 12 different ministries and is part of a pattern of the government where they will bring in this omnibus legislation, much of it relatively straightforward but a portion of it extremely significant, hoping they can get it through without the proper debate.

You may recall, Mr Speaker, that the very first time this was tried, the Harris government had been barely in office and it was then called the omnibus bully bill, Bill 26, but now they continue that process, and it's unfortunate because much of what's in this bill does deserve some substantial debate. As we are rushing through a bill that is 132 pages or 135 pages long, I remind the public of the consequences. In my opinion, the problems we are undergoing now with our environment can be at least in

part traced to the things we have done in the past in dealing quickly with these "red tape" bills.

I would urge us to be aware that by rushing through these bills, we are in danger of making major mistakes. I go back to Walkerton and, tragically, I also happen to think the Adams mine will be a similar bad mistake that this government has made, allowing that to proceed. But Walkerton was, I think, at least in part as a result of that.

The government publishes this document, "Doing Business in Ontario," and it brags very much about how they have changed the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act. They say approvals have been, to use their language, simplified. That's language for, "It is now far easier for you to get through approval in Ontario under the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act." My leader, Dalton McGuinty, today in one of his lead questions to the Premier pointed out how now in Ontario we are becoming seen around North America as perhaps the easiest jurisdiction to get environmental approval in. Why is that? It is because we have made, in the last six years under the Harris government, dramatic changes in the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act. They have been "simplified" through, at least in part, these so-called red tape bills.

Here we are now with another major red tape bill and the government is telling us today, "The debate is over." We are now going to allocate the time. The debate on second reading will be over as of the end of today. We'll have a short period of time in the committee, and then it's back here for approval. I'm just warning all of us that allowing this to happen without proper debate is dangerous, and we can see no better example than the Walkerton example.

Within this particular red tape bill, there are several problems. One is particularly under the Tenant Protection Act. I will guarantee us there is a time bomb ticking out there around housing. The province of Ontario should be seeing built every year at least 15,000 rental units. We're seeing less than 1,000 a year built. In the last three years, we should have seen 45,000; there have been 3,000, and those 3,000 are almost all at the high end of rental accommodation. We have a powder keg ready to explode. There is no doubt about that. And if the Harris government thinks they're going to be able to go through the next election without having to face the consequences of that, they're dreaming. My colleague David Caplan debated yesterday this very matter here in the Legislature.

There are major changes in this red tape bill that further strip protection for tenants. So here we are being forced to approve this red tape bill, the debate is over on the red tape bill, and it contains a substantial lessening of protection for tenants in Ontario at the very time when they're going to need, frankly, the maximum protection. I have tenants in my area who are being strongly encouraged to move. Why? Because the day they move out,

the landlord, the owner of that building, jacks the rent up on that unit dramatically. I've had people in my office with some substantial concerns. But we are going to ram this through in this bill. That's one of the major problems in this bill.

I must say that I and our party have no difficulty dealing with a bill that simply gets rid of things that should be changed, things that no longer apply, things that no longer work, regulations and legislation that may have made sense 20 years ago. We have no difficulty in dealing with that and we have no difficulty in dealing with it in one bill.

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What we strongly object to is when the government uses that goodwill to try and simplify things to ram through substantive changes. Within this bill there are also many examples where the power to make decisions will move from the Legislature to regulation. What that means is that, rather than the duly elected public people having a chance to debate things, the cabinet is able to deal with it behind closed doors through regulation.

I've been watching Minister Palladini. Two weeks ago he said: "I may have to bring in legislation to solve this. In fact I'm going to bring in legislation." He must have taken that to cabinet and they must have said, "There's no way we're going to allow a debate in the Legislature around this problem you've got," so he's now talking about dealing with it through regulation. Why is that? So that democracy doesn't get in the way of efficiency, so that the public doesn't have a chance to debate it, it's done behind closed doors.

In the next few days we expect a property tax bill. There again the government, Premier Harris, will set tax rates raising property taxes of around \$6 billion, not through any debate here in the Legislature but through regulation.

Why is this important? It's a huge bill. Much of it is relatively benign, things that all of us can agree upon, but hidden within this bill are some significant problems. We're being asked to ram this thing through with virtually no further debate. It's over today. The time allocation has been read by the government and we will no longer debate it.

I point out that we surely should have learned our lesson in allowing these omnibus bills, hidden in hundreds of pages of detail, to be sent through without adequate debate. We should have learned from Walkerton where, to use the language of Premier Harris, we have substantially simplified. To use the language of those who are worried about it, we've substantially made it easier to get around good environmental protection.

The public should be, I think quite rightly, concerned when they see major legislation being forced through with virtually little, if any, debate. In this instance, the major concern will be the Tenant Protection Act, but there are other pieces within this legislation. There are several examples where the government is now taking away the right of the Legislature to debate an issue and will give itself the authority to deal with it through regulation.

For the public, what does all that mean? What it really means is you will not know about the debate. The government will make the decision, not here in the Legislature but in the cabinet room, without any input from the elected people. If you want to know a great example of it, in the next few days you'll see a piece of legislation dealing with property taxes where Premier Harris will be able to set whatever rate he wants to set, raising \$6 billion of property taxes through regulation.

To conclude, I hope the public can appreciate the concern that Dalton McGuinty and the Liberal Party have with this process of trying, under the umbrella of an omnibus bill, to force through substantive legislative changes that really deserve to be debated on their own merits with the proper amount of time and the proper opportunity for public input.

Mr Bob Wood (London West): It's a pleasure to speak on this motion. We have had three sessional days of debate on this bill. We've heard a number of well-thought-out comments from all sides of the House. It's now perhaps time to give the public an opportunity to offer their comments on this bill, to do the clause-by-clause analysis that's so important, and then let the Legislature decide on the merits of the bill itself.

This bill is important, really, because it's part of our overall strategy to create better customer service on the part of the government of Ontario and to attract investment and jobs to this province.

I remind the House that our definition of red tape is any procedure or process we put anyone through that's not absolutely essential to achieving an identified government objective. It does not in any way weaken health, safety or environmental protection. What it does, in fact, is strengthen those protections, because it achieves better regulation.

Unlike some in this House, we are not married to the past. We don't look at how things have been done for a while and say, "That's why, and how, they've always got to be done." We want to eliminate all but the absolutely essential. We want to make Ontario the best jurisdiction in the world for regulatory excellence. It's a difficult, time-consuming and challenging task, but it's an exciting task, and it is also absolutely essential to good service and economic growth.

Even our friends the socialist government of France have established a red tape commission. They understand how important this is to achieve better customer service and to attract investment and jobs.

Since its founding in 1995, the Red Tape Commission has helped some 170 people and businesses with red tape problems, undertaken extensive consultations on red tape issues, coordinated the preparation of some 14 red tape reduction laws, helped revoke some 1,300 outdated regulations and helped improve many regulatory processes.

How are we going to continue this work? We are going to continue it by continuing our ombudsman function. We, of course, take individual complaints. When a complaint comes in, we have our civil servants meet with civil servants from the ministry involved and

try to solve the problem. If that fails, we take it up with the office of the minister and, if necessary, the minister himself or herself, and try to solve the problem. If that fails, we take direction from the Premier of the province in terms of how to solve the problem. We hope that everyone, both in the Legislature and throughout Ontario, will ask for the help of the commission when that help is needed.

We are also going to work very hard to get new red tape cutting ideas and implement them. We need ideas from our citizens, from business, from other jurisdictions, from the public service and from all members of this Legislature.

We hope to develop a business impact test. We want to find out what regulations cost the government, and hopefully determine what they cost business as well. We want to make sure we have at least one red tape bill in the Legislature every year, so that the changes in the law that are needed to create better customer service and attract investment and jobs can be done within a fast time frame. That, by the way, is one of the reasons I support this motion today.

We also want to make sure our government's forms and form systems are 21st-century-friendly. We want them to be the clearest, simplest and most efficient possible.

Computers have great potential to both improve customer service and help get rid of red tape. We've got to look very hard in terms of how to move as quickly as possible to 21st-century service in this area.

This bill offers the latest proposals to cut red tape in some 15 ministries. If it's passed, it will remove two unused acts from the books and streamline 75 acts to provide improved customer service and more efficient government.

Some examples of what this bill does are: it eliminates the requirement to apply for a change of name within 90 days of marriage; it protects consumers by prohibiting the charging of significant up-front fees by credit repair companies for services that consumers can do for themselves at little or no cost; it provides insurance benefits to volunteer auxiliary police officers if they're injured while providing service; and it enhances the Niagara Escarpment Commission's ability to issue stop-work orders regarding unapproved developments.

Red tape reduction is about making it easier, faster and less expensive for both business and the public when dealing with government. It's about encouraging investment in Ontario by breaking down barriers to conduct and manage business. It's about simplifying processes to reduce overlap with other legislation and improve overall efficiency and customer service. Finally, it's about harmonizing and modernizing legislation among ministries.

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Cutting red tape is essential to giving better service to our citizens and attracting investment and jobs to Ontario. I urge all members to support this motion and to support the bill.

The Acting Speaker: Further debate, the member for—

Mr Bruce Crozier (Essex): Essex.

The Acting Speaker: Essex. Why didn't I remember that?

Mr Crozier: I'm proud to be there. It's newly going to be called the South Shore, as well. You'll hear more about it in the future.

I'm generally pleased to stand and speak to the Legislature, but in these instances, a time allocation motion, in my view, is one of the most undemocratic things that can be brought forward in this House.

As I pointed out when we opened debate only three sessional days ago, we have received a red tape bill that—in fact, I don't know how many pages there are in this—covers some 75 acts. I understand there are over 200 amendments, and yet the government member will stand and say, "I think we've had enough debate on this." Three sessional days; I don't know, six to maybe eight or nine hours. There's so much in here to discuss and so much that's important that I agree with my colleague from Scarborough that this very well might come back to haunt us because we don't take the time to debate and to recommend and to discuss what this bill contains.

I don't think anybody disagrees with getting rid of red tape. It was suggested that we come into the 21st century, look at our laws and get rid of the red tape. I agree with that. Much of what's in here, I'm sure, is housekeeping and much of it, under normal circumstances, I could agree with. But the problem is, there's a lot in here that just is not simple housekeeping. There are two new acts. To me, creation of a new act is not getting rid of red tape. When a new act is introduced, I think it deserves to be dealt with in the fullest ways, and time allocation certainly isn't one of them.

I would remind the Legislature that last fall and in this spring session there have been some 32 government bills introduced. Almost half of them have been time-allocated. Twelve bills have received time allocation, which means that the government in its wisdom said, "We don't need to follow the democratic way of a Legislature and allow all members to have the opportunity to speak on this bill. We've heard enough from you," which indicates to me that they really don't want suggestions, they really don't want recommendations, they really don't want a full discussion of the issues. I don't know why not. That's what we're here for. We're here to represent our constituents, and to do that, we have to be given the fullest opportunity to speak to the issues, and time allocation certainly isn't the way to allow that democratic debate.

The government is suggesting that this will go to committee, and I suspect there will be some sort of public hearing, or at least I certainly hope there would be. But the average number of days that bills have been considered over the fall and spring session of 1999-2000, the average number of days that this government has allowed for committee hearings, is 2.83, almost three days.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): That's all.

Mr Crozier: And that's all. We were just discussing this earlier. My colleague is relatively new to the Legislature. She's been here a year, she's doing an outstanding job, and if I could get all the way through your riding name—

Mrs Dombrowsky: Hastings-Frontenac-Lennox and Addington.

Mr Crozier: Hastings-Frontenac-Lennox and Addington. She's done an outstanding job in the year she's been here and she too can't understand why we have to treat these bills with such haste, why we can't take time to debate the issues the way we should.

Be that as it may, I would like to point out that those parts of this omnibus bill that we might want to support—we are prevented from doing so because there are parts of the bill, significant parts of the bill, that we can't support. In fact, it's unfortunate that when they bring a time allocation motion in, we have to spend a sessional day just debating the time allocation motion when we could be better spending the time debating the bill itself.

In the opening remarks that were made on this bill when it was introduced but a few days ago, the government wanted some recommendations on how they may better serve the public, because what they're telling us is that this bill will help us better serve the public. I had a couple of suggestions for them. I haven't heard from them in the last couple of days, but I can tell you ways that they aren't serving the public and that they could well make an attempt to do so.

A couple of examples in my own riding: recently a licence-issuing office was closed in Kingsville. What this causes is that constituents of mine are now going to have to go to another community to renew their driver's license, renew their automobile licence plates. That's not a good way to serve the public, in my view. Something like this, a bill like this, does nothing to improve service to the public in the way that the government says they intend to do.

There's another battle that we've been fighting over the last couple of years and that's when they closed the driver examination centre in Leamington—in the southeast corner of the riding, the furthest it could be from the cities of Chatham and Windsor, where driver examination centres remain—which causes a lot of distress to elderly constituents in my riding because they have to go to a totally new community under different driving conditions than they've ever been used to, to get their driver's licences renewed. They have to stand in longer lines. It takes longer to get an appointment to have your driver's licence renewed in our area now. That's not better service to the public. In fact, one might say that it's creating more red tape; it's more difficult to get something done than it was before.

I think of the young people in the riding, too, those who are getting their driver's licences for the first time, who are in school. What do they have to do? They have

to take half a day off school because they have to travel further distances to get their driver's licence renewed. In fact, if you want to talk about red tape, it's so bad at times that we have even had suggestions from the Minister of Transportation down our way that somebody go all the way to St Catharines to get their driver's licence renewed: "Well, we've got appointments open in St Catharines or we've got appointments open somewhere down in the Golden Horseshoe area where you can get your driver's license test." That's not serving the public better.

So when they stand here today and say that they're presenting this red tape bill so that they can serve the public better, you can understand why I just might not take that as being the gospel truth, that I'm not sure that all of this is to better serve the public. What we might find if we had more time for debate, more time to bring the issues forward, is that the public is going to be ill served by some of the changes that this bill will bring forward.

1540

Why we need time to inform the public, why we need time to debate these issues, is that not always does the government fully explain to the public what they are doing. They spend hundreds of millions of dollars patting themselves on the back in partisan advertising, money that could be better spent on health care, education, transportation, long-term care, could be spent on having better water quality in the province, could be better spent in those areas. I guess it's a question of priorities. When you bring forward something like this, and there are good parts of it, then fine: take the time to inform the public, give us the opportunity to debate the issues, give us the opportunity to bring out those parts of the bill that in fact are good and that we might agree with.

I used another example earlier this week of what might not be understood about this bill. There's a very significant change in the Insurance Act with regard to life insurance. At the present time, if you have a terminal illness, there is an opportunity under the Insurance Act to take advantage of what are called "living benefits." You go to your insurance company—in fact, insurance companies are encouraged to promote this—and they will advance a significant amount from your life insurance because of the shortened lifespan and perhaps the economic hardship that it may cause. You still own your insurance policy. You still deal with your insurance company.

What they are proposing here—and as I say, it may not be a bad thing, but I don't think people understand it—is that they're going to allow what are called viaticals. I said the other night that even though I'm not a gambling person, I would bet that most people in the province, and I would even venture to say most in this Legislature, don't know what a viatical is. Far be it from me to suggest or explain the whole thing here today, but what it really means is that you can go out and discount your life insurance and, as with living benefits, you're able to get a certain amount of the face value of your life

insurance policy. The problem is that you have to understand under those circumstances that you're not necessarily going to be dealing with your insurance company. You're going to be discounting what the value of the life insurance is and it's going to be a third party that's going to own your insurance policy.

As we all know, by far the majority in this province are honest, forthright business people, but as sure as I'm standing here, there will be some who are not so upstanding and forthright and will not tell individuals what this really means when they discount their life insurance. It's that kind of thing that I think shouldn't even be in a red tape bill. It should be a subject that's discussed on its own merits so that we have a full opportunity to disclose not only the advantages but the disadvantages of it and people can make an informed decision. These are important life decisions and we should have the opportunity to debate those to their fullest extent.

As much as I want to reduce red tape, as much as there are parts of this omnibus bill that I would like to support, I'm not going to be able to for a couple of reasons. One is because it isn't quite as perfect as the government would lead you to believe; second, we simply haven't had the time to discuss all of the issues that are contained in this omnibus bill that we should have.

I really wonder when the Red Tape Commission comes and reports and says that everything in here is going to be to my benefit, and particularly to the benefit of the public.

I can give another example of red tape, too. This has been brought up several times in the past few weeks, and as we approach Christmas it's even going to become more critical. Last December, this government, with a lot of fanfare, said they wanted to get squeegee kids off the streets of Toronto. They wanted to get them out of the face of drivers. Again, I have no problem with that. If they are being offensive, if they are being aggressive, if there are panhandlers who are being aggressive, I agree that the general public shouldn't have to face that every day.

Anyway, they wanted to get rid of panhandlers, so they brought in, with a lot of fanfare, the Safe Streets Act. Well, Speaker, you and I and others here, and I think even the government members, recognize what really happened was that not only did they get at the squeegee kids, not only did they get at the aggressive panhandlers, but they also got at a lot of charities in this province.

Mrs Dombrowsky: Unfortunately.

Mr Crozier: As my colleague said, that's unfortunate. We know, for example, that the Muscular Dystrophy Association, through its work with the firefighters in the province of Ontario, are looking at a possible reduction of some \$750,000 in their fundraising over the next calendar year because their fundraising effort was swept up in the squeegee bill. I have no idea whether it was the intent of the government to do that or not. I certainly would hope that it wasn't. But we were dealt a poorly written bill that not only got at the core problem, as the

government saw it, but it takes in a whole other group of innocent people.

The firefighters who carry on boot drives, who have helped build burn units across this province, are affected by it. The fundraising efforts for muscular dystrophy are affected. Come this Christmas, the Goodfellows's work in this province is going to be hurt dramatically, in their fundraising efforts. In Windsor-Essex county, for example, 40% of the money raised by Goodfellows comes from the sale of their papers. All that the Goodfellows and the people who work with them do is stand on a street corner at a stoplight—they have the appropriate identification, the bright orange vest with the yellow cross, so everybody can see them—and when the light turns red, if a driver in a car rolls down the window and motions to them, they collect some money.

Mr Rick Bartolucci (Sudbury): Doesn't sound bad to me.

Mr Crozier: It doesn't sound bad to me. It doesn't sound like squeeze kids to me. And now, because the government won't change that bill, they won't back off, they won't say, "Yes, we made a mistake," and amend the bill, these charities are going to suffer. That, to me, is red tape. That, to me, is getting the government in the face of honest, hard-working volunteers who want to do something for their community. That's red tape.

If you agree, if I can get someone to agree with my definition of that being red tape, I think in committee we should amend this red tape bill. We should give municipalities the opportunity to approve registered charities being able to collect money the way they have, in the case of the Goodfellows, since the early 1900s.

When this bill comes back to us after probably a short time in committee, we're going to have one more chance, one more sessional day, to discuss the issue, and then it will be a done deal.

In my view, time allocation motions are simply undemocratic.

1550

Mrs Julia Munro (York North): It's a pleasure to be able to rise today and make a few remarks on Bill 119. I'm going to concentrate my remarks today on a section of Bill 119, that part which deals with the Dog Owners' Liability Act.

In prefacing my remarks to the bill itself, I have to take us back to a most tragic and horrific event, and that was the death of Courtney Trempe on April 28, 1998. This was a very tragic experience and accident in our community. It became the focus of a subsequent inquest and one which, frankly, speaks to a number of issues in our community. The jury made 35 recommendations in areas that are as diverse as education, legislative changes, reporting, recording and research. It also spoke to breeders and trainers, animal shelters. It spoke to the need for some financial support as well as a role for the federal government.

It meant that, in the course of the inquest, many questions were asked on the issue of the responsibility of individuals who are stakeholders within the community

at large. Whether we're talking about people who own dogs—as the Dog Owners' Liability Act obviously deals with—people who have puppies for sale, people who go to shelters, the responsibility of recording institutions like the Canadian Kennel Club, the role of the publicly provided charitable groups like the Ontario SPCA, there was a huge and complex group of stakeholders identified in the inquest.

The areas that seemed to gain most attention were education, training and the Dog Owners' Liability Act. In the area of education, it became clear that both the public at large, and children specifically, need to have greater awareness of the way in which dogs should be approached, the way in which dogs should be handled and the way in which people should think, expectations of their pets.

Another area that received a lot of attention was the role of training and the responsibility that people have in making sure they have a well-adjusted animal that can be comfortable and confident in a home setting.

But obviously, in relation to this piece of legislation, I'm going to concentrate my remarks on the Dog Owners' Liability Act.

In the report on the inquest into the death of Courtney Trempe, there were two particular areas that I would like to just make reference to. Each of the various stakeholders, some of whom I have mentioned, was asked to respond to the recommendations from the inquest. Of course, one of those was the office of the Attorney General. I would like to read a couple of lines that I think set the stage for the legislative framework that we are looking at today. This, then, suggests that the ministry supports the specific recommendations: two involve dog restraining orders, one restricts pet ownership and two relate to fine provisions.

There is another comment that I would like to read into the record. This comes from Andrew Fordham, who at the time was the chief municipal law enforcement officer for the town of Georgina. Because of his relationship with the Whitchurch-Stouffville area, he was then very much involved in the work that went into the pre-inquest activity.

It certainly speaks to the importance of the legislation we are looking at today to look at a couple of the comments he made. One of the first would be the question of the need in legislation to be able to issue an order to restrain a dog where a statement seeking an order to destroy has been filed. This then would also need to be clarified in terms of being able to give the owner of the dog some comfort as to due process. The second one, which I'll just highlight, is his recommendation of increasing fines to no more than \$5,000.

I point out these two examples in this report on the inquest simply to set the stage for the kinds of things we're looking at in this piece of legislation. When you take those particular suggestions that were in the report of the inquest and then look at the specific legislation we have before us, it becomes very clear that those recommendations have been adopted in this piece of legislation.

The first one I would draw your attention to is the inclusion of an interim order, again reflecting the concerns that had been raised with regard to an order to destroy the animal. The next section of this proposed legislation also gives the court some opportunity to make a decision here, where the court may decide if it's necessary for the protection of the public that the dog be destroyed in the manner specified, or that the owner of the dog take measures specified in the order for more effective control.

It also speaks to something that again was suggested in the jury recommendations, and that is the opportunity for the court to be able to make an order prohibiting the dog's owner from owning another dog during a specified period of time. Much of the expert witness in the hearing dealt with the kinds of problems that create what we might more commonly think of as a vicious dog. It's very clear that ownership requires and implies a sense of responsibility, a sense of responsible ownership, which includes making sure that this animal has not been subjected to the kinds of abuse that would colour its temperament and its ability to be the stable pet we desire.

So there are a number of ways by which this piece of legislation is a direct response to those issues. Finally, I would point out, following Mr Fordham's suggestion, section 7 suggests a fine not exceeding \$5,000.

I would like to suggest that here we have a very specific example of a piece of legislation that is responding to some very specific needs, recognizing the tragedy that prompted them. I think it is important to see this in that context of responding to the community needs, in contrast, perhaps, to some of the comments that we have heard about how the question of a bill that encompasses a number of ministries will not in fact be meeting specific needs.

1600

I would like to close by questioning the earlier opposition speaker, who had real concern about an omnibus bill. Here I'm quoting the member, Gerry Phillips. He said, "I have no difficulty with the process, and in future years this government or a new government will probably want to employ a similar technique to be as efficient as we can in keeping the legislative bills in the province up to date. So the process is fine."

That was a quote from Gerry Phillips on the whole need for providing the kind of bill that we are debating today.

Mr James J. Bradley (St Catharines): Thank you very much for the opportunity to address yet another time allocation or a motion that closes off debate in the Legislative Assembly. I'm going to put the emphasis on that end of it, the procedural end, which is the constant use of closure by this government to choke off debate on various bills.

I wish they would spend some time on bills that they refuse to bring forward, for instance, that wouldn't need time allocation. We have Bill 122, An Act to amend the Highway Traffic Act to increase the penalties for driving with a suspended licence; Bill 32, An Act to amend the

Highway Traffic Act to require a driver's licence to be suspended if a motor vehicle is used when purchasing sexual services from a child; and Bill 6, An Act to protect Children involved in Prostitution. All of these are in the name of Mr Bartolucci. Rick Bartolucci, as you know, is the Liberal member for Sudbury. None of these bills gets brought forward. He's introduced all these bills. The government claims to have a law-and-order agenda. It refuses to proceed with these three particular bills, yet here it is trying to push yet another piece of its own legislation through the Legislative Assembly.

So that people know, this is not a prop, as you can see, but I just want you to be able to see, Mr Speaker, because I know sometimes it's difficult from that vantage, just how thick the compendiums are for the so-called Red Tape Reduction Act, 2000, volume 1 and volume 2, schedules A to F and G to P.

The reason I show that is that's how much is in this bill. They've taken everything except the kitchen sink and thrown it into a particular piece of legislation and said they want to push it through now, without the kind of scrutiny that every piece of legislation would want. I wonder what they'll do when they have their so-called victims' rights bill come through, because they do a lot of talking about victims' rights.

I listened the other day to these petitions that certain members from Scarborough and east of Scarborough like to get up and read in the House. They talk about the case of Karla Homolka. In fact, the Premier got—I won't say drawn into that. He inserted himself into that particular issue the other day in the hallway, for political purposes, quite obviously. I well recall, as you will, because you've been a member long enough in this assembly to do so, that on March 19, 1996, there was a headline that appeared in the Toronto Sun that said "Tories Stand by Deal with the Devil." I want you to see, Mr Speaker, not necessarily people at home, that headline which says, "Tories Stand by Deal with the Devil."

These same people who get up and make noises about the way Karla Homolka is treated—and of course, all of us are repulsed when we see some of the photographs that are out there—had a chance to undo the so-called deal with the devil and they chose not to. That was a decision that government made, and yet we had the Premier out in the hallway a couple of weeks ago suggesting that somehow the federal government should do something.

I would like to see us take some time on bills of this kind and other pieces of legislation so we can see in detail where there are any problems. There is often a hostage in here. A lot of what seems to be quite reasonable may be found in a bill, yet there are some hostages in there, something that one of the two opposition parties, or both, cannot support.

This government has used its strength—that is, strength in numbers in this Legislature—to push its way through any and every crisis that it might have.

People at home should know what has happened to diminish democracy in our province. One thing is the

changing of the rules of the Legislature. That always sounds boring. Indeed, when you mention it to reporters here at Queen's Park and the possibility that they might do a story, either an electronic or a print story, on rules changes, they say, "Our editors would never allow it because it would put people to sleep."

Yet what is most important is the way you run meetings and what you allow to happen. This government has changed the rules twice; in both cases it has severely diminished the role of the opposition so that now the opposition—if you were playing poker, and heaven knows, you know that I am not a gambler. But if one were playing poker, they've taken away all the poker chips the opposition could possibly play—in other words, any of the teeth that are there to slow the government down when the opposition believes the government is moving too quickly.

So those rules changes have had a major impact. This government now comes in as late as it can, gets out as early as it can in terms of the session. It has sessions at night instead of sessions in the daytime so it can pass twice as many pieces of legislation and we don't get the appropriate scrutiny we should have and the number of question periods that we need to hold the government to account.

The second thing it did which diminishes democracy is it has politicized the officers of the House. There are certain positions where all members of the House are supposed to concur in a decision. You will notice that when we chose the Environmental Commissioner—that's usually a role played by the Legislature—that in fact the Conservative majority imposed an individual. Regardless of what you may think of the person as an individual, as a personality, or the job the person is doing, what they did was take a person who had been the president of the Progressive Conservative association federally in North Bay, had run twice for the provincial Conservatives, and imposed him in the position of environment commissioner, a watchdog over the environment in Ontario. So they've started to interfere with those positions which were the prerogative of all members of the House.

Next, they changed the rules on spending in election campaigns, the amount of money that you can spend and the amount of money that you can collect as a political party or as a candidate. Surely they would look south of the border and see the corrosive affect of money in politics; that the more opportunity you give people to give larger donations, the more money there is available to spend in a campaign, the more it is weighted toward the party in power or indeed the party that collects the most money. How do you collect the most money? Well, you appeal to those who have the most money. The most powerful and the richest people in the province are those who have the financial wherewithal to make donations. Therefore, this government has expanded that opportunity for the wealthiest people in this province to make those donations to the Conservative Party.

The one thing they have been successful in is fundraising, and that is the reason. When you have policies

which are geared to favour the wealthiest people, those who already have the power, the establishment in the province, then quite obviously you're going to get a lot of money from them. What does that do? That gives a greater advantage to the government.

The next thing they did was to get involved heavily in partisan government advertising. You'll recall, Mr Speaker, that I raised with the Speaker of the House the issue of cheating in the last by-election campaign that was held in the Hamilton-Burlington area, surrounding Hamilton and Burlington and Ancaster, Aldershot, Dundas, Flamborough and those communities. The government of Ontario was running government ads during the election campaign. They had ads with the Premier talking about Lands for Life—

Interjection.

Mr Bradley: Well, I say to the member for Stratford, he should get his Alliance candidates to complain about that, if he wishes to do it. I am elected to the Ontario Legislature, so I have a responsibility to deal with the provincial aspect. The Alliance candidates from the other side can make sure that they raise that federally.

So what they have done during the provincial by-election campaign—there were at least three ads running. There was print material coming to every household in Ontario that was meant to influence the people in that riding. Fortunately, it didn't in this particular case, but it was an abuse of office.

Next, they changed the rules for election campaigns to shorten the length of election campaigns, to exempt certain expenditures, such as polling, from any controls by the election finances commission. What they've done, as I say, is skewed the system, rigged the system in favour of the governing side in this particular case.

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I can tell you that what we see here, with this kind of legislation being shoved through the House rather quickly, using time allocation, closing off the debate, is that in fact what we're up against is a government that does not want to have close scrutiny of this kind of legislation but rather simply wants to rush it through. It would be different if this were one isolated incident. It has become the norm. Today, ministers themselves determine how much time there should be for debate in this Legislature within the rules that they've written to set themselves up.

Now the smarmy people in the backrooms of the party say: "Aren't they smart? Look what they've done. This is really clever." These are the hangers-on who set up the fundraisers and so on. They think that's really clever. But I think even people of goodwill who might support the government should be very wary of this government's record when it comes to dealing with democracy. Most certainly this time allocation motion is yet another example.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate on Bill 119. Bill 119 is entitled An Act to reduce red tape, to promote good government through better management of Min-

istries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts.

There have been some comments with respect to this type of legislation and the format of this legislation. Comments about this were made by the member of Scarborough-Agincourt. The member was speaking on Bill 115 on October 9, 1987. That was, as we all know, when the Liberals were the governing power. He stated: "As a matter of operating principle, I think it's useful to have a process where governments of any political stripe can update and modernize our acts. They do get out of date and we're very supportive of a legitimate process that allows any government of the day to update them.... We have to constantly review our laws and our regulations and keep them up to date."

He goes on to say: "I've always argued that omnibus bills such as this are quite in order.... In the future this is the kind of process we would be supportive of." Today, Mr Speaker, he says one thing and yet another day he said another thing.

I'll say this: this is a process. A lot of hard work went into this. There are a lot of pieces of legislation that have been looked at, a lot of hard work on red tape. I think this type of legislation should be supported because there are a number of measures that I want to speak on that are very helpful in terms of clarification and in terms of the roles that should be played.

For example, when I was on city council in the city of Barrie, there were issues with respect to attacks by dogs and the rights of individuals with respect to situations where they were attacked or their child was attacked by dogs. This particular piece of legislation addresses the Dog Owners' Liability Act, which is a piece of legislation that's been in effect for a number of years. The changes that are being proposed here are as follows.

It says: "If a proceeding is commenced against the owner of a dog under the act, the Ontario Court of Justice may make an interim order before a court makes an order under the act.

"If a court orders the destruction of a dog and it is not taken into custody immediately, the owner is required to restrain the dog by means of a leash and muzzle until it is taken into custody.

"If a court finds that a dog has bitten or attacked a person or a domestic animal, the court may make an order prohibiting the dog's owner from owning another dog during a specified period of time."

Certainly what they're trying to address here is a situation that is in the interim before it gets to the court in its final process. That's a serious issue for people who have been subject to a dog attack and have been put in a situation where they have to live in a neighbourhood where there is a dangerous animal. I think that's one area that will be welcomed by municipalities in terms of strengthening their bylaws to deal with those types of situations.

The other change I want to address is put out by the Ministry of Consumer and Commercial Relations. It

deals with the Change of Name Act. What will happen here is that there's no longer any time limit for a spouse whose marriage is dissolved by divorce, annulment or death to elect to resume the surname he or she had immediately before the marriage. Before, there was a time limit; now there's not going to be a time limit with respect to the Change of Name Act for spouses who are affected by a marriage that is dissolved by divorce, annulment or death to elect to resume the surname they had before the marriage. I think that's going to be something that is welcome in reducing a situation that a lot of people wanted to have addressed.

The other area I want to look at here are amendments proposed by the Ministry of Education. The Education Act will be amended to increase the maximum number of members of the Ontario Parent Council from 18 to 20. The Ontario Parent Council, as you may know, is an agency of the ministry that provides the government with timely and greatly appreciated advice on issues related to elementary and secondary education. The proposed change here is going to increase the number of members on that Ontario Parent Council, and I think that's a constructive change with respect to education in terms of broadening the representation on the council in the type of role they play in education in this province.

As you know, we have taken a number of measures in education to streamline the process and provide better government in that area. When we took office in 1995, the number of school boards stood at 129 major school boards, and they were cut significantly. There are 66 new district boards, including school authorities, and the total is now 72. That has been a tremendous decrease in the number of school boards in which we deliver education and also the number of trustees along with that in terms of reducing the number of politicians in the education field.

Another area I want to address is promoting good government. The other day, I came across in the Barrie Examiner, in the editorial section, information with respect to the recent Canadian and US agreement with respect to limiting smog-causing pollution that drifts across the border. The deal, which still needs the consent of the Canadian and US governments, is called the ozone annex to the Canada-US Air Quality Agreement. It will require a 50% reduction in nitrogen oxide emissions from the fossil-fuel-powered plants in southern Ontario.

This is from the Barrie Examiner of October 16. I want to read from it because it's very interesting in terms of how good intentions such as this can get led astray by actions of certain members with respect to not promoting, in my opinion, good government in terms of trying to preserve our environment. It says here:

"What about the federal government? While it is willing to play hardball with the provincial Conservatives on this particular issue, is it willing to honour this agreement at the federal level?

"This week, the Globe and Mail claimed Heritage Minister Sheila Copps used her political weight to exempt a company in her Hamilton East riding from new

environmental standards. Natural Resources Canada has ruled that all refrigerators sold in Canada meet tough new guidelines requiring them to use 30% less electricity, but it was announced this week that certain models made by Camco Inc will be given an 18-month reprieve from the new regulations. According to a memo obtained under the Access to Information Act, the Deputy Minister of Natural Resources warned the minister the delay could set a precedent which may affect Canada's ability to meet the Kyoto greenhouse gas reduction targets.

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"Legislation or government mandates are only as strong as the government's will to enforce them. The Kyoto Protocol itself stands as an example of the federal government's lack of will when it comes to meeting internationally agreed upon standards. The government has not done nearly enough since signing the 1997 protocol, in which it agreed to cut greenhouse gas emissions 6% from the 1990 levels by the year 2012. That actually represents a reduction of 26% because emissions have gone up since 1990.

"We appreciate this is a difficult task. We also recognize the fact that the government has committed millions of dollars in funding to the cause. But we maintain it isn't enough. Reprieves like the one given to the refrigerator company in Cops's riding only hinder the government's broader efforts. Setting goals to combat pollution is not the same as meeting goals to combat pollution. The first is relatively easy. The second is impossible without leaders who will make tough decisions with their eyes on the target."

I wholeheartedly endorse that opinion in the Barrie Examiner with respect to what I must say is obviously a member looking out for their own riding, but quite frankly undermining the commitment and the ability of the federal government to be taken seriously with respect to the environment.

One other area that I want to address in this proposed legislation, Bill 119, is the Tenant Protection Act, 1997. In these changes:

"The definition of 'landlord' in section 1 of the act is amended to clarify that a tenant who shares a rental unit with another person and receives rent from that person is not considered a landlord under the Act.

"Section 1 of the act is amended by adding a definition of 'sublet'.

"Section 5 of the act is amended to give a social housing landlord the same right as any other landlord to increase rent under section 132, without complying with the 12-month rule in section 126...."

What I want to focus on here is the situation which is causing some difficulty with respect to situations where you have an individual or individuals who aren't tenants and decide to take up residence with a tenant in a building, an apartment unit or a house—whatever is being rented by the tenant—and the tenant leaves and the people who were not the tenants stay. That's a situation where a landlord is put in a very difficult position. The way this act is dealt with, with respect to clarifying who

is a landlord, is helpful in one sense, obviously for the tenant, but not necessarily for the landlord. So that's an area that certainly has to be addressed with respect to dealing with landlord and tenant rights, and then also a hybrid that isn't even necessarily a tenant.

There are other changes we see here with respect to the act, for example, "Section 52 of the act is amended to allow a landlord of a rental unit in a condominium who has entered into an agreement of purchase and sale of the unit to give the tenant notice terminating the tenancy on behalf of the purchaser, if the purchaser in good faith requires possession of the unit for the purpose of residential occupation by the purchaser, the purchaser's spouse or same-sex partner, or a child or parent of one of them." That's one of the amendments that has been put in place that certainly is consistent with a situation where the landlord wishes to take over the residence because they want to use it for their personal use. It makes common sense with respect to dealing with that situation in a condominium setting.

In closing, the legislation that's being proposed certainly addresses a lot of areas, but as the member for Scarborough-Agincourt said, and I agree with him, "Bills such as this"—and he called it an omnibus bill when he made his statement back in 1997—"are quite in order. In the future, this is the kind of process we would be supportive of." This is what he's saying in 1997 when—I may have misspoke myself—we obviously were the government. He was in support of this process, yet today he says he's not.

What's going on here is a legitimate process, and it allows the government of the day to update a great number of statutes through extensive consultation with respect to what is needed to streamline those sections of the act and promote, in the same course, good government. I'm supportive of this legislation.

Mr David Caplan (Don Valley East): It is indeed a pleasure to rise today to join in the debate on the time allocation or closure motion that the Harris government has brought in to stifle debate, to limit debate on Bill 119, the Red Tape Reduction Act.

I can't let the comments of the last speaker go by and I will try to get at them at great length. The member for Barrie-Simcoe-Bradford is a lawyer, I believe, and could tell you that the definition of "landlord" and the relationship of a landlord and tenant is one that dates back in common law for hundreds of years. It is a significant relationship. It is ground in law. What's really interesting is that in something called a red tape act, which is supposed to deal with minor technical and administrative matters, a fundamental change in the relationship in law is being made and that is namely the change in definition of being a landlord.

I say with great respect to the previous speaker, with great respect to all members of this House, the change which is being made in this act as it relates to the definition of "landlord," and consequently the landlord and tenant relationship, eliminates a whole host of tenants from having any tenant protection or any tenant rights at all—any tenant protection or any tenant rights.

A cohabitant is no longer as a landlord, not the person they pay rent to if it's a roommate and not the landlord or the owner of the building. That is major, and for it to be included in this kind of legislation with this kind of purpose is insulting. It's incredibly deceptive, and it's in my opinion inappropriate for this type of a measure, a major policy, a major change in law, to be included in this kind of an act. Really, if the government has the desire to make this change, it should be included—

Hon David Turnbull (Minister of Transportation): Mr Speaker, on a point of order: I believe that the language being used by the member is inappropriate. I think you should ask him to retract.

The Acting Speaker: I didn't hear some of his speech. Is there a word or phrase that—

Mr Caplan: Everything was parliamentary. Thank you.

To make this kind of a major policy change, a major change in law, in a bill of this nature is wrong. It is simply wrong for this to happen.

I'd like to talk about Bill 119 in part not only for what's in the bill but also what's not in the bill. The previous speaker, the member for Barrie-Simcoe-Bradford, talked about the change in sublet. Let me read to you section 21. It says that clause 140(3)(a) of the act that it's amending is repealed and the following is substituted: "(a) sublet a rental unit for a rent that is payable by one or more subtenants and that is greater than the rent that is lawfully charged"—so the government has decided that lawful rent, according to their own act, is thrown out the window—"by the landlord for the rental unit." A direct quote from this bill; a major change in policy. This is not administrative. This is not minor or technical.

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For members of this government to try to stifle debate, to prevent the people of Ontario and members of this assembly from learning about some of the provisions contained in Bill 119, is abhorrent. It really is. People in the province of Ontario ought to know that the rights they expect to be in place are being systematically removed under the guise of an act to reduce red tape and to promote good government. Reducing people's rights is good government? My God, talk about Orwellian.

There are other sections of this act which are just reprehensible. One is an entire policy change related to default orders, related to the fact that now adjustments can be made by adjudicators before or after an application "if the tribunal considers it appropriate to do so and if amending the application would not be unfair to any party." The definition of "unfair" is not in here. It's a very subjective term.

The other is section 28 of this bill: "The tribunal may designate one or more employees of the tribunal as default order officers for the purposes of subsection (1.2)." Now staff can issue defaults, which has denied people their right—usually defaults are ordered in the case of eviction. They can now issue these default orders—which, by the way, Speaker, you would know,

are harder to get set aside than court orders—without any kind of due process, without any hearing process, without any check or balance.

It is reprehensible, what is happening here under the guise of red tape. This is the worst kind of policy-making. I'm terribly disappointed that the government would engage in this kind of blatant disregard for parliamentary procedure but also for decency for the people of the province, to let them know what's really contained in this bill.

Here today we are debating a time allocation motion, a closure motion. There will be no more debate. It's going to go to committee, we hope. We hope we'll have the opportunity, that it will be heard at committee so we can introduce amendments to prevent these kinds of abuses from occurring, to prevent people from losing their hard-fought rights, what limited rights they have right now that the Harris government hasn't already removed. We hope to have that opportunity. We also hope that government members will see the light and understand that this is not minor, inconsequential, that this is not technical or some kind of adjustment. These are major areas that need to be addressed.

I want to let you know that there are other things that could have been here in this act that would have been housekeeping matters. I would like to make some suggestions and put them on the table right now.

There has been a suggestion from the eviction project that the Ontario Rental Housing Tribunal communicate directly in writing to both parties when there is a dispute. That happens in other government boards and agencies; why not the Ontario Rental Housing Tribunal? At the moment, a tenant receives five calendar days' notice, and they have to formally respond. If a response isn't made, a hearing is waived and a default order is issued.

You would want to know that default orders are issued about 60% of the time. That's by the government's own operational review of the tribunal process and hearing situation. What's really interesting is that it looks to me and to all observers that what the Harris government is intending to do is to try to increase defaults, to try to prevent Ontarians and Ontario tenants from exercising the limited rights they have right now. Sixty per cent of the time isn't good enough for Mr Harris or Mr Clement or members of the government? That's absurd, absolutely ridiculous. Anyone who has tried to grapple with the notice that tenants get would know that this is a major area.

There are other suggestions the government could have acted on; they have to do with retaliatory measures and where an application follows one. So let's say a tenant submits an application for disrepair and it is immediately followed by an application from a landlord. That kind of arrangement should proceed immediately to a hearing; there shouldn't have to be the same kind of notice provisions.

Why couldn't full access to justice be guaranteed? That's a housekeeping amendment that could be made.

How about a definition of what "persistent late payment" means? This is something tribunal adjudicators

have been grappling with. There's a very low burden of proof on what that means. Why not have that kind of clarification? Obviously the Harris government is not interested in protecting the rights of tenants.

How about the suggestion that the Ontario Rental Housing Tribunal issue a letter when a procedure of eviction is disposed of? For example, Mr Dunlop is in arrears in his rent and his landlord moves to evict him. That will go to the credit reporting agency. But Mr Dunlop, being a good tenant, as most tenants are, will pay the arrears of rent, yet on his credit record there will be no notification that he made good on his obligations. He will have a bad credit record. Why couldn't the Ontario Rental Housing Tribunal issue that kind of letter to clarify the record, to make sure it's accurate? There are all kinds of other recommendations and suggestions.

How about making it easier for emergency applications by tenants who have been illegally evicted or face urgent hazards for health or safety?

This bill is not red tape, and it is not a serious attempt at housekeeping matters.

Mr Steve Gilchrist (Scarborough East): I appreciate the opportunity to say a few words in support of Bill 119, which I believe is our third red tape act and continues a process we commenced in 1995 to eliminate the unnecessary barriers to growth and prosperity in Ontario. Let's remember that that's the definition of red tape. It isn't the passing of a regulation in and of itself that's bad; it's when you pass a regulation that has no effect except to impede business, except to add to the expense of doing business or even living as a private citizen in the province. Then it becomes something that nobody—on this side of the House, at least—wants to be part and parcel of, the package of legislation that oversees this great province.

We've heard from the other side, and they're quite prepared to nit-pick and go through and find one or two points in a bill that is very impressive in its length. You won't hear them talking, of course, of the dozens and dozens of other statute changes that they know would find favour if the people of this province had an opportunity to hear them fully debated. This bill changes statutes that operate under the purview of 15 different ministries, a total of 72 statutes, including the abolition of two acts completely, and a total of 232 changes. This is on top of literally hundreds and hundreds of other changes that have taken place in the two previous bills.

Before us here today is an act that among other things will now allow the Ministry of Natural Resources to permit American citizens who might own cottage properties in parts of this province to get a tax credit by donating the land to the province. The opposition parties would impede that. They would suggest that we should continue to allow a barrier to exist and that even though the American government is prepared to reciprocate, the fact of the matter is, as we expand parkland at an unprecedented rate in the province, they want to leave a barrier so that all those Americans who over the last 100 years have bought property in our vacation spots, and else-

where in the province, won't be able to participate in that parkland expansion, even if their conscience would otherwise drive them to do that.

The bill, for the first time since 1965, increases the amount of assets that someone who has gone bankrupt is allowed to keep. Under the current statute, if my memory serves me correctly, only \$2,000 worth of assets can be protected. Obviously, with inflation since 1965, whatever logic had prevailed at that time in setting that threshold has been undermined to the point that those assets are only worth 25% today of what they were worth 35 years ago. So this bill increases the amount of money that someone who has gone bankrupt, perhaps through no fault of their own, is allowed to keep, in order to keep them from going on social assistance. I guess the other side finds that unacceptable, because we certainly have not heard any words of support for that section of the bill.

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From the Ministry of Labour we had a submission that is now part of this bill that would allow the Workplace Safety and Insurance Act to be amended to provide coverage to volunteer auxiliary police. Again, to my colleagues on the other side of the House, if you don't think having auxiliary police, people who want to volunteer their time on parade routes and other low-risk opportunities to assist the police forces, not just in Toronto but all across Ontario, but at the same time give them at least some rudimentary coverage in case they suffer an accident on the job—if you really think that's an inappropriate change, I would invite you to stand in your place and say that. Don't keep harping over the one or two things that we've heard from one speaker after another from the other side. Let's hear what you have to say about remedying that longstanding oversight that prevented somebody out there helping their fellow citizens, volunteering, in many cases for no pay, no compensation at all, from getting workers' safety insurance coverage if they suffer an accident on the job.

Perhaps they'd like to comment as well about the change that was made by the Ministry of Consumer and Commercial Relations to the Consumer Reporting Act. This bill proposes to prohibit credit repair companies from charging customers large sums of money in advance to help them repair their bad credit reports. What a scam. Nobody on the other side has considered it important enough to stand and suggest that the government is heading in the right direction. So we must assume from your silence that you disagree with this. I think it's utterly shameful that you would not want us to protect consumers from such charlatans. The ministry is not going to allow payment of advance fees until services are actually provided and will prevent companies from using false advertising that they can "clean bad credit."

Maybe the opposition members might want to pass judgment as well about why they would be voting against a bill wherein the Ministry of Consumer and Commercial Relations is amending the Ontario New Home Warranties Plan Act to ensure that the purchasers of new homes are covered by the plan, whether or not they bought it from

the builder or a subsequent owner. It's an administrative change, but it guarantees now that all of the protections built into the new home warranty plan continue to exist even if the house changes hands more than once. Let's not forget, the builders have paid into a fund, the house was built, presumably according to building code standards. Why should there be any wiggle room at all, why should there be any circumstance where someone in that home, within the warranty period, is not protected by that fund? But again, we've heard a deafening silence from the other side. They don't think protecting homeowners—and of course we're talking in most cases of people buying their first home, a starter home, and they don't think this is a worthy change to the legislation in the province of Ontario. I have a hard time reconciling that with their sworn oaths, but we see it bill after bill after bill. If the government says to do one thing, they feel inclined to simply suggest the alternative as the proper course of action.

We've changed the Chartered Accountants Act. This act became law in 1956. Since then, there have not only been no major changes to the act, but the act refers to each member of the Institute of Chartered Accountants of Ontario as "he." If I had a dollar for every time someone on the other side of the House has stood in their place and pontificated about the need for a balanced approach to the issues when it comes to gender; but they disagree with taking a statute that's 44 years old and making sure its language is contemporary. They're going to vote against that. I hope all the female accountants in the province pay heed, because I think it's utterly shameful that they would countenance voting against such a minor change, but while minor in its drafting, important in its significance.

We've had a number of other changes to legislation that reflect the fact we've found more efficient ways of delivering services. The members in this House will know that we have proposed, in all of the red tape bills, a number of mergers of various agencies, boards and commissions in the province. We have, in this bill, taken steps in the Ministry of the Environment to consolidate two different panels into one. When we hear from the other side the questions, as we did today, about Walkerton and other important environmental questions, the fact that they would countenance the idea of having duplication in the oversight and the monitoring of some important statutes of the province really is nonsensical. The fact of the matter is, if we focus the resources efficiently and effectively, the issue we're talking about doesn't matter; we're going to get to the root of a problem far faster, at far lower cost to the taxpayer.

This act is going to consolidate the operation of the Environmental Assessment Board and the Environmental Appeal Board, a long-standing recommendation of the committee that Bob Wood chaired and that I was privileged to sit on a number of years ago. Its sole impact is going to be to eliminate administrative overlap and duplication. Who on the other side of this House is

prepared to stand up and say they don't think that's a laudable goal?

We've got some very minor details as well. Under the Mining Act, there's an amendment that now gives the Minister of Northern Development and Mines the authority to approve a refund due to an administrative or rounding error. Did you know that we needed the approval of the Lieutenant Governor in Council to be able to rectify something where there's just been a rounding error in the calculation of a refund? What an extraordinary waste of time of the Queen's representative, totally unbecoming a \$60-billion-per-year enterprise like the province of Ontario. My goodness.

When you look at that and the fact that the Mining Act required that mining claims be filled out in red ink—we cared about the colour of red ink. Now I know that previous governments used to get a volume discount buying ink in that colour, but to have required the clerks in the Ministry of Northern Development and Mines to actually fill out the forms in red ink is something quite incredible indeed.

While each of these changes, in and of themselves, may be relatively minor, in total the ability to remove barriers to growth has been, and we are convinced and the numbers would suggest, part and parcel of why the Ontario economy has led not just Canada, not just North America, but all of the G8 countries every year since 1996.

I continue to be disappointed that the members of the Liberal and NDP caucuses aren't proud of the accomplishments of this great province, that they're not prepared to stand up and say that when we have seen accomplishments such as the one I just spoke of, it's worthy of tribute, it's worthy of praise, it's worthy of acknowledgement in this House, if for no other reason than to reinforce the behaviour of those Ontarians who have had the courage to open up their wallets to take a risk and make an investment.

Whether it's starting a new business or expanding an existing business or going back and getting skills upgraded to be able to take on a new job in a new economy, to all of those Ontarians who have reflected the fact that lower taxes and fewer regulatory barriers have made Ontario a better place to live, work and raise a family, it's truly saddening that the members opposite, each of whom represents over 100,000 Ontarians, would rather be a prophet of doom and gloom in this chamber, would rather come here and suggest the cup is half empty when the right message, as we find in at least the majority of government-held ridings where you've got MPPs who speak in support of small business, who speak in support of Ontarians who are prepared to take a chance—we've seen growth, we've seen vibrancy, we've seen expansion in our economy unprecedented in the history of this province.

We've cut tax rates: 166 times we've cut taxes and the income of the province has gone up \$11 billion. That's \$11 billion more to put into health care, to put into education, to improve our roads, to make the sorts of

investments that are long overdue but which are critical if we're going to make sure that this province stays at the forefront of all of the world's economies.

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We don't have a lot of oil and gas and other natural resources that have seen their prices explode by 50% and 100% in the last year. But what we have seen are thousands, indeed tens of thousands, of individual businesses and individuals themselves who have, by pooling their resources, expanded this economy tremendously. For the member in front of me, I would suggest that each rotation is considered on its own. I'm sure he will have lots of time.

I just wanted to close by saying that this bill is an important step forward. I would challenge the members opposite to look at all the details in this bill, to take the time to read at least the explanatory notes—they're only about six pages at the front of the bill—to understand the significance, sector by sector, of eliminating duplication and waste, of eliminating unnecessary regulation, of eliminating barriers to growth.

It's only by guaranteeing to the taxpayers of this province that we remain committed to the goal of a free and vibrant economy that we are going to see the kind of resources put into our coffers that in turn can be invested into ensuring this remains the best place in the world to live, work and raise a family.

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity, however limited, this afternoon to speak on this bill. I'm going to be, in the time I have, speaking from a number of fronts on this piece of work before us here. It's rather substantial. It covers a whole host of ministries and changes to a myriad of acts and statutes in this Legislature and will, in some instances, yes, be good. Within the bill, there are a number of pieces that we as a party in this place would probably support. But right at the very outset I must say that the nature of the bill, the fact that it is an omnibus bill and that there is so much in it and the speed with which it is moving through this House lends one to—

Interjection.

Mr Martin: Yes, exactly. It's another case here—and you've heard me use this analogy before—of the Trojan Horse, where you bring in something that looks rather unthreatening and innocuous, that presents as perhaps even good, as something that could be useful, but when you get into it further and you begin to look at the pieces piece by piece, which is what we would have preferred this government do—as a matter of fact, we would prefer that this government operate in that way across the board.

Mr David Christopherson (Hamilton West): We'd prefer they weren't the government.

Mr Martin: Well, if you want to take it that distance, of course we would prefer that they weren't the government. They've shown, since they came here six years ago, a total and complete lack of respect and understanding and support for the legislative process in this province, which has been developed over a long period of time, has served us well by way of check and balance

to the kind of initiative and agenda that any particular party brings to this place, so that at the end of the day whatever we do is well thought out, has public input into the consultation process and serves the greatest number of people but at the same time protects those who are in perhaps a minority situation in any particular circumstance, so that we have fairness and justice, access and equity across the board as much as we possibly can.

In fact we've done that. We've had an evolution in this province over a number of years now that has seen us become the envy of many in other jurisdictions, I would suggest, in the country, in North America and indeed across the world.

But what we have here before us this afternoon is another example, in some very important ways, of how this government operates. We have a bill that we're not just blankety opposed to. I don't think anybody in this place would stand up and speak against efficiency, the government working more effectively for people, streamlining, changing things, bringing things up to date. I don't think anybody here would be against that. As a matter of fact, as I was listening here this afternoon, I listened to a number of the government members speak to particular pieces of this legislation that, yes, could garner support, that we could probably support, that are important to do. But then you wrap them up into an omnibus bill such as you've done here and you push them through this place.

I don't know if the member from Scarborough realizes that this bill—did you see the size of the bill and the compendium? When it was brought in here last week, it was massive. It was one of the bigger pieces of work that has arrived in this place in a while. For it to be pushed through here in less than a week I think must present as problematic to him. I know, having served with him on committee, that he respects and understands the value in having good debate, having fulsome debate, allowing people an opportunity to get their thoughts on the record about the whole raft of suggestions that's often contained in these kinds of packages.

In this instance we're not doing that. We have here again one more example of a huge piece of legislation that has in it some very significant changes that this government is going to push out there by way of its agenda, that we will not have had an opportunity to get into in any significant detail. Yes, we have put, as has been suggested, and I will put a couple of the areas of concern that we have on the table here this afternoon about a couple of pieces of the bill. To listen to the government members, you would think that everything in this bill makes sense, everything in this bill is about creating efficiency in government, everything in this bill should have the blessing of everybody. They're probably wondering why we would get up at all in the first place to even speak to this bill or to challenge it or to ask questions or raise issues about it, because after all, they see themselves as that font of knowledge that is above all challenge in this province, and have acted that way over a period of some six years now.

I think we have to look at the overall agenda of this government to understand why some of us have concerns about this legislation. The problem is that the Harris Conservatives seem to think that almost anything that protects the public from being taken advantage of by large corporations or that stops government agencies from abusing their power should be done away with. That's exactly what we have here in many serious and significant ways inside this so-called red tape omnibus bill. This government takes regulation which has been in place in Ontario over a long number of years now, after some very serious consultation by folks directly involved, with some concern, some interest—sometimes regulation is put in place in this jurisdiction after some tragic accident in a workplace, on a highway or in a school or hospital. There's an inquiry that accrues. All kinds of time and effort is put into studying a particular circumstance.

I would suggest that probably the inquiry that started yesterday in Walkerton is an excellent example of the kind of work we do in being vigilant in this province to make sure that when a circumstance such as that happens, we get to the bottom of it and we understand what caused it and how it could have come about in the first place. Ultimately, when all is said and done, we come up with a set of proposals or recommendations that we bring to government to put in place by way of the legislative process and legislation, which then become what we refer to in this place as regulations.

1700

We regulate a particular operation or way of doing things in this province to protect people. To make sure circumstances are safe, to make sure children are not at risk, to make sure communities are not at risk, to make sure people who go to work in this province are not at risk, we put in place all kinds of important regulations. People don't just dream those up. People don't just go to bed at night and wake up in the morning and say, "I think we need a regulation here or a regulation there, or why don't we do this?" I have to say, though, that sometimes one would think this government is beginning to operate exactly in that fashion—and it's typical of so much we've seen over the last six years—where somebody has dreamt up a new regulation that would somehow support their agenda and brings it to the Premier's office. They go over it very briefly and say, "Who supports it? How is this going to help our friends and benefactors out there make more money and get some of this obstructive, very difficult challenge that's in place out of the way so perhaps more money can be made?" That doesn't serve us well.

They take regulations and in this instance—this is the third or fourth omnibus bill we've had before us—they call it red tape. By calling it red tape, they give it a negative connotation; they invite people to think of everything in it as suspect, as not being in the best interests of the larger populace out there. Because it's been painted as red tape and named red tape, obviously we need to get rid of it. That's what we on this side of the

House have such grave concern and worry about. We know the agenda of this government, as indicated by some of the things they've done over the last five or six years, is not in the best interests of the overall population in any significant or meaningful way.

We know the agenda of this government is not in making sure that everybody who calls Ontario home is included in the things that go on, that speak of doing well and of being successful. We know this government is not interested in efficiency and in government working well, for example, where the delivery of health care is concerned, where the delivery of education services is concerned or even where the protection of the environment is concerned. We know that where those kinds of things are concerned, they want to diminish government, they want to reduce the ability of government to be a major player and to participate in an effective and progressive way, so that the corporate sector, the big multinational industrialists, can come in here, set the rules, take advantage and make off at the end of the day like bandits and leave the rest of us wondering what happened to us.

The agenda of this government, served by these kinds of omnibus bills, is very clearly and simply to get as much government regulation as you possibly can out of the way, to move it aside, to reduce government and its ability to act on behalf of the ordinary citizen out there and to diminish it in a way that allows their corporate friends and benefactors to come in and take over, to come in and, as they say, create wealth. Again, nobody's against the creation of wealth or against taking advantage of opportunities to generate some resource. It's when you look at how that wealth is distributed and how so few people benefit at the end of the day that you begin to question the direction of this government and why we would allow them to continue the way they do.

This red tape bill coming in here this last week is a perfect example of how we have yet one more Trojan Horse pushed among us. Yes, it presents on one hand as something that makes some sense. If you look at some of the pieces that were presented in this place over the last few days and this afternoon by some of the members from the government side who spoke, yes, there are some things in this bill that warrant our support, that we could support and that we think would make sense and be good and in the best interests of moving forward in this province. But there are too many other questions in the bill that we haven't had a chance to get into, to discuss with the government and to challenge in any serious and significant way, and I suggest to you that we won't.

This afternoon we will vote on this time allocation motion. This time allocation motion will allow the government to put to a vote all the questions where this bill is concerned, and then it will move on to the next phase, which should be some significant and serious public consultation across the province, but I suggest it won't. That's my prediction. My prediction is that there will be very limited consultation on this bill after second reading, that it won't go much beyond the premises we now are in and that it will be very quickly back here for third

reading debate, which will be as brief and brisk as the one we've had on second reading. Then they will have gotten away yet again with changing the climate of this province where government and its ability to protect people and communities and workers are concerned, and it will allow the yet more aggressive involvement of the big corporate agenda out there to come in and do their thing and leave the rest of us unprotected. That's unfortunate.

In some ways I think it's rather scandalous, in the world we live in in Ontario, where we have so much we could share together in order to protect the common good, in order to protect those things that, over a long period of time, we have decided collectively are in our best interests to protect, but we won't do that. For example, this government thought that having a Ministry of the Environment that could actually enforce the law and that tested the water supply was red tape. So, what people living in communities out there, living with the results of circumstances such as Walkerton, which presented so tragically here over the last year, would see as proper and effective and good regulation to make sure we have clean drinking water and that people are safe and protected out there, this government calls red tape. That in itself should lead you to the same conclusion I've come to, which is that where red tape is concerned, this government doesn't really understand that if you have regulations that protect people and communities and workers, they really aren't red tape, and a lot of what is in this bill we're debating here today is of that ilk.

This government's Red Tape Commission also sent up a trial balloon this past summer which, if implemented, would take away the Rand formula, the cornerstone of labour rights in this province. Mike Harris and his Conservative colleagues seem to think that unions are just so much red tape to be swept away so management can get on with the job. That brings me to another point, which is the aggressive way this government has targeted people in this province who don't quite fit their agenda, who don't quite support the agenda they think they were elected to implement or impose on us here. So they take it and wrap it up in a package and they call it red tape, when so much of what they're trying to do away with is things that people in this province have over a long period of time decided were in their own best interests, were in the best interests of the people they represented and worked with and were willing to do whatever it took to make sure they did everything they could to put in place the regulations and those organizations they felt would be helpful in making sure that we had a province, a jurisdiction here that was inclusive of all people and involved as many people as was possible.

1710

Let me give you an example of a couple of the things that we think this bill raises by way of concern for us and that people across the province should pay attention to as they see this piece of legislation work its way through this place and in some probably significant and very meaningful ways begin to see the effect of out there as

they go about their everyday dealing with each other, both in the workplace and in the communities they live in; changes, for example, like the changes in here that are being brought to the Theatres Act which would allow changes in film classifications to be done by regulation instead of through amendments to the act. This could, in a worst-case scenario, be used to bring back censorship in a serious way without any public debate.

That's key to the concern we have and that we're putting on the table here this afternoon, that the Liberals put on the table earlier on, that the Tories don't seem to understand because they feel they had that public debate before they got elected in 1995 and again in 1999 and they don't need to have that debate any more because they have now all the answers.

We all wish it were that simple but frankly it isn't. If we're going to do things in this province that speak of government working effectively and efficiently on behalf of people, we shouldn't be doing it this way.

They shouldn't be taking a myriad of concerns and issues, some that could be supported, some that couldn't, wrapping them up in a huge omnibus bill, bringing it in here, ramming it through in three or four days, bringing in time allocation motions, not having any significant public consultation on any of the pieces in this bill, then bringing it back for third reading and putting it through and then saying to themselves and to others out there, "Look at how wonderful we are. Look at how we live up to the commitment we made when we were running for government to get rid of red tape," without taking the time that was necessary to define and explain why it is that they saw this as red tape, why it is that this red tape—which in fact in a greater percentage of the incidents is not red tape at all, it's regulation that has been put in place over a long period of time to protect people—is now going to disappear in the interests of allowing their corporate benefactors and friends to come in and take advantage of opportunity that will be presented then to make more money, at the expense of the common elements of the communities that we have built up over a long period of time now.

As I said before, if they were as serious about making government working efficiently and effectively in those ways that we all wish they would, in the areas of, for example, health care and education, and making sure that the work that is being developed out there accrues to more people being better off and more secure, then we wouldn't have any difficulty here. But that's not been the track record; that's not been the agenda of this government. That's not been where they've wanted to go and they've not wanted to have any public debate about that. So we're concerned.

I put on the table that the changes to the Theatres Act, for those out there who have concern about the very important issue of censorship, without any debate whatsoever in that respect, should present as very problematic and difficult.

The Environmental Assessment Board and the Environmental Appeal Board are being merged into the

Environmental Review Tribunal, again a diminishing, a downsizing of some very important vehicles in this province that over a long period of time have served us well, but perhaps needed to be changed. We have no difficulty with that, but change in this manner, wrapped up in a bill called the red tape bill and being rammed through here in the three or four days that we've had to debate it—I don't think so. I don't think that's what the people out there expect of government.

After what they've seen over the last five or six years by way of some of the amalgamation of other very important organizations out there, including municipalities and school boards, if they knew—and I'm telling them here tonight—that these two boards were going to be merged into what is now being referred to as the Environmental Review Tribunal, I don't think they would be too excited. I think they would have some real concern and some questions they would want to put, that they would want to come to a table to discuss and debate those things so that the truth of the matter might have a chance to raise its head and we could see in fact if going in this direction was in the best interests of the general public out there, if in fact, where the environment is concerned—and we know in this province there are some very real, genuine and serious concerns where the environment is involved in the province at the moment—particularly where the issue of water, and clean water are concerned, this government would be in any way meddling and diminishing some of the vehicles that we have out there, even if it is in an attempt to perhaps make them more efficient.

When you consider the track record, it has to raise some red flags and present as disconcerting. It's something we should have had more time in this place to debate and discuss so that we could bring forward some of the amendments that we think would be helpful and, at the end of the day, have something that perhaps all of us could support.

But I suggest to you that's not going to happen. The way they've operated so far where this bill is concerned, three days—as a matter of fact I didn't even get a chance to give my leadoff speech on this until they brought in a time allocation motion. I thought maybe three days. This came in on Tuesday or Wednesday of last week and it was before the House—we get at most two to three hours of an afternoon and then in the evening we get another two and three quarter hours in here to actually debate bills. When you distribute that among the three caucuses that are here, you begin to realize how very little time any one of us gets to debate these important issues. The fact that I, as the critic in this area for our caucus, because this thing moved so quickly—at lightning speed through here—didn't even get a chance to come and speak to the issues that we have with so many of the pieces of this bill in a serious and fulsome way before we had placed on the table before us a time allocation motion, which is in fact what we're debating here this afternoon, should speak to people very clearly about what this government thinks about public consultation, thinks

about the process of government that we've all supported and participated in here in this place over such a long period of time now and is with every day that goes by being taken away and changed and diminished.

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The tribunal is given wide powers to award costs for hearings under several acts. Again, this is part of introducing user fees or fees of various sorts to people out there to replace some of the money that they have collected but then subsequently, by way of their largesse at budget time, have given away to their friends and benefactors by way of tax breaks, so that we don't have any more money left in the public coffers to pay for those processes that we have, as a government, decided over a period of time that government should pay for.

What we have here is an example, through the red tape bill, of government doing what they should be doing in a more public way, using the ministry that's there to administer these kinds of things to introduce another way of collecting more money for government, so that the government doesn't have to pay for the things it is expected they would, because they're giving the money away. They're giving the money away and they don't have it; there are a lot of people—

Hon Mr Turnbull: It's the taxpayers' money.

Mr Martin: Yes, that's right, it's the taxpayers' money, and you're giving it away. It's the taxpayers' money that they give to us, as government, to spend on those things that they have identified as important: education, health care, protecting the environment, infrastructure such as roads and hospitals and other buildings; and what you're doing is you're letting all those things fall apart. We look at health care and what's happening out there; look at the problems that we have in education and the pressure that's now put on teachers to do more and more for less and less. Look at the way our roads are falling apart across the province and you begin to understand why people have some very real concerns about the agenda of this government, which is to give away the very significant money that they are now collecting because, yes, we're in a good economy; the surpluses that are beginning to build in this province, to their friends and benefactors, so they can take it and put it into their Swiss bank accounts—you know, buy another yacht, take another vacation or whatever.

At the same time, you and I, who live in communities like Gore Bay and Sault Ste Marie, look on as our education system becomes a shadow of its former self. They look on while we in the north try to access health care in the hospitals that have fewer and fewer of the new technical advances that we need to have, and fewer nurses working under much more stress than ever before, while they give away the money that is collected rightfully from all of us as taxpayers, by way of our taxes, so that we can give those things to a very few quite wealthy individuals, who for the most part don't even call Ontario home for a great percentage of the year.

What we have in this act, in this red tape bill, is a tribunal given wider powers to award costs for hearings

under several acts, which is another way of saying, "Let's collect more money by way of user fees so that it's not seen as taxation out there, so we can replenish, in the coffers of government, some of the money that we're giving away by way of tax breaks to the very few wealthy out there who actually benefit by it." The tribunal is specifically not limited to the considerations that govern the awarding of costs in any court while, absent intervenor funding, the awarding of costs may be the only way currently for public interest groups to get their expenses paid. The bill may also be widening the criteria, something which could be detrimental to such groups. Further consultation with environment lawyers on this issue alone is required.

So you begin to see, as I lay it out for you, some of the areas of concern that we have with this bill, how it fits in so very clearly and neatly with their agenda, which is to get rid of regulation—they call it red tape; those of us who are responsible and concerned call it regulation—and not only to get rid of the regulation that's there, and to block any new regulation such as the bill that my colleague the critic for environment, Ms Churley, brought forward here a couple of weeks ago, which would go a distance to protecting the clean water stock of this province, but also to amalgamate or get rid of, in some very serious ways, some of the vehicles that are out there now that could be used by people to protect each other where these things are concerned and to change the way we pay for people participating in processes to, at the end of the day, challenge government; where decisions are sometimes made before the courts that can be quite expensive, complicated, technical and legal in nature, turn the cost of that back on to the backs of those people who have some very real, genuine and sincere concerns in the hope that they'll just go away, that they'll just not bother any more, so that this government then can have a free hand to move in and wield its power and have its way and do whatever it wants.

Alas, what we will have in this province if we continue down that road, doing away with red tape in this way, which, as I've said, is in fact a reducing of the regulatory regime that's in the province, not allowing those vehicles that we've put in place to operate at their full capacity because they now have to take on more and more responsibility with fewer and fewer resources to do it, and, at the end of the day, putting a charge on the backs of those who would participate in some meaningful way in the discussion, such as the inquiry that's going on in Walkerton today, is that they might think twice about actually participating, because they may find it's just too expensive and too costly. Many of the people who participate in that activity are not your well-off residents in this province. They're not the people benefiting from the very significant and generous tax breaks that are going out there these days across the province. They may not be there.

These people we have counted on for such a long period of time to pick up the slack—when so many of us who actually should be driving the bus in the first place

have gotten tired or missed the opportunity or were too busy doing something else—to actually pick up the gauntlet, will not have the resources they need to do the job that's required to bring the challenge and to be effective in protecting those things that we all so often take for granted. Yet we know, from the example of Walkerton, what happens when we do that. We put ourselves, our families and our neighbours at risk.

There are changes to the conflict-of-interest provisions for the chair and president of the WSIB, the Workplace Safety and Insurance Board, and the chair of the appeals tribunal. They are no longer prohibited from owning stocks or bonds in prescribed sectors. That means they could have holdings in companies that appear before them—a conflict of interest. Under the guise of red tape, we're getting rid of the issue of conflict of interest, where some of the folks who sit on very important boards and commissions in this province are concerned, when they in turn have to challenge those companies that are acting in a way that is not in the interest of the common good, because they may, when some investigating is done and if they haven't tabled a conflict of interest in the first place, turn out to own stocks or bonds in companies that come before them.

I have to tell you I've been shocked over the last six years, sitting on the standing committee on agencies, boards and commissions, by the number of people who continually come through the door by way of appointment—the governing caucus on that committee is controlled by none other than the chair of the Red Tape Commission, who simply fast tracks the process each Wednesday morning—the number of people who have come forward from the corporate sector, friends and benefactors of the government, to sit on boards and commissions. When we challenge the government members as to why they think it's OK to continue to appoint their friends and supporters and people who gave money to them during the election, people who are in business with them when they're not in government, they simply say, "So we can get our agenda out there and operating in the province."

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Now we're saying through this red tape bill that perhaps they can appoint more of their friends and benefactors, because up to now perhaps they weren't able to appoint them because they had a conflict of interest. Because of their holdings, because of their stocks or bonds, they were not a good appointment because they might have a conflict of interest and might have to declare that on a regular basis. Under this act now they will be allowed to sit and operate and not have to worry about that at all. It's an inconvenience where these folks are concerned to have to think for a second, "Maybe I have a conflict of interest here. Maybe the decision I'm making is being made in a selfish, self-serving way."

That doesn't worry the folks over there as long as it supports their agenda, as long as it goes a distance to diminish the ability and the effectiveness of government where serving the common good is concerned, as long as

it supports the giving away of the massive amounts of tax money that are being collected these days in this province that could be spent on education and health care and protecting the environment. As long as it's supportive of that agenda, then this government sees it as good, and if it gets in the way, they label it red tape and they bring it forward and it becomes, then, that which all of us have to live with around here.

Changes to the Planning Act let the OMB dismiss appeals or requests for a hearing if the appellant fails to respond to a request from the board for further information. If an ordinary citizen who doesn't have access to the very sophisticated and sometimes intimidating vehicles of communication we have today, and doesn't see that he or she has been requested to table further information on an appeal they made before, in many instances, the last court they can go to where a decision is concerned that impinges on them and perhaps the little bit of property they own in a community, and they miss the deadline or fail to respond, then their appeal is thrown out. No matter how good the appeal was, no matter how serious the appeal or how real the appeal, if they fail to respond to a request from the board for further information, the OMB can simply dismiss it.

That's considered here, in this instance, as simply getting rid of red tape. This is taking away an ordinary citizen's right to due process, to participate in a process because they perhaps didn't pick up the e-mail that came through, or maybe the computer crashed and they weren't able to fix it and so it sat there for a few days or weeks, or perhaps they moved and their mail wasn't referred to their new address, or perhaps they lost their phone or whatever—the myriad of things that can happen to any one of us in our day-to-day lives.

Because they were not able to respond in some timely and short, limited way, they lose their ability to participate in a process that, in many instances, is the last resort many of us have to get in the way of some often bigger entity coming in and disturbing the lifestyle you've developed over a period of years, simply because we live in a society that this government likes to think is free for the taking. It's let the free market decide. You have a little piece of property and a garden and some peace and quiet that you've spent a lot of money building up over a number of years. The community decides to put up a big-box shopping mall right behind you. You want to challenge that. You don't know if you have any legal legs to stand on, but you want to challenge it anyway. You know that you can go to the OMB. You do, but because you missed a request for some information, you lose that opportunity. This eliminates the necessity for the board to send another letter giving the person another chance to respond. Community groups appearing without legal counsel would be most likely to have their cases dismissed for this reason, and this amendment could be a barrier to their participation. This is what this government means when they talk about red tape.

Changes to the Tenant Protection Act make it easier to evict drug dealers. The notice period to those who

commit an illegal act related to drugs has been shortened from 20 days to 10 days. Even before a person is found to be guilty of doing something illegal, if they are labelled as somebody who is dealing drugs, a landlord can come in and within 10 days have them evicted.

The bill also allows the board to designate employees as default order officers so that tribunal members do not have to personally sign default orders. Tenant advocates are telling us that tenants are already being evicted without notice through default judgments because landlords are not giving tenants the proper notices. This gives the board the appearance of being the eviction machine that tenant activists have accused it of being.

Here we are under the guise of red tape—and I don't think there's anybody here who wouldn't participate in a full and wholesome debate on the question of how we deal with some of the difficulties out there in the landlord-and-tenant world of Ontario, some of the challenges that are faced on both sides of that fence, to sit down and have a full debate about that, discuss it, develop good public policy around it, make sure that everybody's heard and that we do the right thing, make sure that people have decent, affordable housing and that they can't be just summarily dismissed or kicked out whenever the landlord decides, for the myriad of reasons they do that, that this tenant is no longer acceptable there. On the other hand, we might want to talk to landlords who have been given a difficult time over a period of time now on issues that they've brought before all of us, I'm sure, here in this place concerning tenants who become the tenants from hell from time to time.

I think we need to have a full and comprehensive discussion about that. I think the government needs to be more forthcoming with resources to make sure there are enough facilities out there to house those people in Ontario who are looking for affordable housing today in every community across this province. Yet we're not doing that. What are we doing? Under the guise of a red tape bill put forward by the Red Tape Commission—and I want to speak very briefly about that for a minute before I wrap up here this afternoon—they are bringing forward some legislation here that will have far-reaching and very difficult and problematic effects on some of the most vulnerable and marginalized people in our communities, people we're trying to work with every day to make sure they have good housing so that they can stop doing some of the things they're doing and get on with their lives.

The changes to the Theatres Act also eliminate the regulation of projectionists. This may or may not be a problem, but we need to talk about it. We need to have a discussion about it.

If the notice is revoked because the tenant made an agreement to stop doing the illegal act involving drugs, the landlord can later decide that the tenant has broken the agreement and apply to the tribunal for eviction without notice to the tenant. Another amendment that we should be talking about says, however, that default orders cannot be issued in eviction cases involving drugs. That

should mean the tenant must have a chance to be heard by the tribunal.

I suggest to you that further clarification, further debate, further discussion and the involvement of more people on these things is required.

1740

There are what appear to be minor and technical changes to the mechanism whereby the minister can require the board to rehear a case. These should also be checked with environmental lawyers to be sure we're doing the right thing.

What do we have here? We have a Trojan Horse brought in by this government to do what it obviously thinks it doesn't have the time to do through the regular channels, through the regular ministries, through this House, with fulsome debate, public consultation, and back in here for further debate. And then? If we think it's in the best interests of all Ontarians to do a certain thing, then we do it. But no, we've set up this Red Tape Commission, another in a long line of commissions. You remember the gas busters and the crime commission. I'm wondering where they got to, particularly the gas busters in light of the big truck debacle that's happening out there today because this government doesn't have the intestinal fortitude to stand up to the big oil companies in this province.

We now have the Red Tape Commission. Who mandated it? Where does it get its power? What are its terms of reference? Nobody knows. Who is it responsible to? Where did it get the money it uses to travel around the province and do its consultations? How much money is it spending? Who are they talking to? We all have our hunches but we're not sure. That's just to give you an idea of how clandestine this whole operation is and how it must be a vehicle of government to get some things done that it couldn't do through regular channels. It's obviously been effective over the last five or six years because this is the third or fourth package of legislation we've had come through.

I was reading over the weekend a magazine that we all get here. It's called Ontario Business Report. Inside that report, I'm told, not by way of a statement from a minister or a press release put out so that we could all talk about it or discuss it, is an announcement that the Red Tape Commission is to become a permanent commission of this government. I guess we as government are going to now fund the Red Tape Commission to continue to do the work it does, which is to set up another vehicle for this government to ram its agenda down the throats of all of us here and the people of this province.

I suggest to you that if we continue down this road, we will rue the day.

Mr Doug Galt (Northumberland): As the member from Sault Ste Marie was saying, it's become a permanent commission. I say hear, hear. What could be better than a permanent Red Tape Commission to get rid of some of these useless government regulations that were brought in by previous governments during that lost decade from 1985 to 1995, some 1,000 new regulations a

year that they were bringing in? It's an undue burden to business to have useless regulations. I'm not talking about quality regulations. Those are needed.

The quantity of time businesses spend on useless regulations takes them away from their business activities. Small businesses have to spend something like six hours a week on government regulations. If you think that's going to help create jobs in this country, you've got another thought coming.

Talking about useless regulations, some of the ones we have are a real joke. In the past we've had regulations on how and where you can buy beer and regulations on how long a wooden ladder should be. I'd like to share a few others.

From the state of California, they had a regulation that you had to have a hunting licence to be able to set a mousetrap. I can't quite comprehend the need in California to have a hunting licence, but so be it. In Hartford, Connecticut, people are not allowed to cross the street while walking on their hands. I can understand that. I guess they'd go a little more slowly than if they were on their feet. In Seattle, they have a law that forbids you from carrying a concealed weapon that's more than six feet long. It's pretty hard to conceal a weapon that's more than six feet long, but that's the useless regulation they have there. In Florida, it's illegal to go skydiving on Sunday. I don't know if it's more dangerous to skydive on Sunday than any other day.

This is just to give you some examples. In Boston, you're required to consult a doctor before taking a bath. In any case, even if the doctor approves it, you can't take over two per month. I think that one could be stricken from the records. Then Arkansas: I'm careful how I pronounce Arkansas because in that state it is illegal to mispronounce the state's name while you're within its borders.

But I think one of my favourites comes from Louisiana, and that's where if you bite someone with your real teeth, it's considered simple assault, but if you bite them with your false teeth, it's considered aggravated assault. Those are the kinds of useless regulations that are out there.

If you think I'm going outside of our country, how be you look at Ontario in 1995. At that time, the previous government, which the member sitting here from Sault Ste Marie is very proud of, was saying that it was illegal to recycle pesticide containers; you had to bury them. That was the law. They were promoting recycling, but it was illegal to recycle a pesticide container. Similarly, it was illegal to clean up pure chlorinated drinking water just as water; it was considered a hazardous substance and had to be cleaned up as such. Imagine a law requiring the cleanup of pure, fresh chlorinated drinking water as a hazardous substance.

You say these are rather harmless regulations. Not so, when you look at the time and energy that go into looking after and implementing those kinds of regulations. Useless regulations on the books make people lose respect for the proper regulations that are needed to run a

country, and they also create an awful lot of confusion. The Conference Board of Canada, for example, just to look again, in 1994 estimated that it cost some \$85 billion in a year just to look after red tape in this country.

We believe that getting rid of some of these regulations will improve customer service and improve the efficient operation of government. We do support regulations that have sound scientific and economic principles. It makes for a better province to live, to work and to raise a family.

The Acting Speaker (Mr Michael A. Brown): That completes the time allocated for debate.

Mr Runciman has moved government notice of motion number 64. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a 10-minute bell.

The division bells rang from 1748 to 1758.

The Acting Speaker: All those in favour will rise one at a time until recognized by the Clerk.

Ayes

Amott, Ted	Guzzo, Garry J.	Palladini, Al
Baird, John R.	Hardeman, Ernie	Runciman, Robert W.
Barrett, Toby	Jackson, Cameron	Snobelen, John
Beaubien, Marcel	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tasca, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Maves, Bart	Turnbull, David
Elliott, Brenda	Mazzilli, Frank	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Witmer, Elizabeth
Galt, Doug	Munro, Julia	Wood, Bob
Gilchrist, Steve	Murdoch, Bill	Young, David
Gill, Raminder	Mushinski, Marilyn	

The Acting Speaker: All those opposed will please rise one at a time.

Nays

Bartolucci, Rick	Crozier, Bruce	Lankin, Frances
Bountrogianni, Marie	Curling, Alvin	Marchese, Rosario
Boyer, Claudette	Di Cocco, Caroline	Martin, Tony
Bradley, James J.	Dombrowsky, Leona	McMeekin, Ted
Caplan, David	Duncan, Dwight	Patten, Richard
Christopherson, David	Getretsen, John	Peters, Steve
Churley, Marilyn	Hoy, Pat	Ramsay, David
Cleary, John C.	Kennedy, Gerard	Smitherman, George
Conway, Sean G.	Lalonde, Jean-Marc	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 41; the nays are 26.

The Acting Speaker: I declare this motion carried.

ADJOURNMENT DEBATE

The Acting Speaker (Mr Michael A. Brown): Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The

member for Hastings-Frontenac-Lennox and Addington has given notice of dissatisfaction with the answer to a question given yesterday by the Minister of Community and Social Services. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

NATIVE CHILDREN'S SERVICES

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): First of all, I think it's important that I indicate that with us in the members' gallery today are May Maracle and Claudette Deveau of the Native Child and Family Services of Toronto.

The question I put to the minister yesterday was, when would he make Native Child and Family Services of Toronto a full-fledged children's aid society? Your ministry undertook a review of Native Child and Family Services. When that occurred, certainly you gave them the very clear impression that you were considering supporting society designation, and yet it was indicated yesterday that that has changed.

The minister indicated that, in fact, there had been other society designations to other native agencies. However, none of those agencies that have been designated are located off reserves. Representatives from the aboriginal community have indicated to me that aboriginal children in the urban setting of Toronto are especially in need of aboriginal services, perhaps even more than children on reserves, because they are away from, they are apart from, their culture and disconnected from their community, and really do need services that respect their culture. That certainly is what your government recognized in Bill 6. I wasn't asking about general child welfare reforms. That was the response that was provided to me, and that is why I think it's important for me to stand again tonight and make very clear the specific issues of the aboriginal community in Toronto that relate to providing services for children.

Since the minister's letter in June to Native Child and Family Services of Toronto, there has been the publication of this document. It's a very comprehensive document that talks about urban aboriginal children and their families. It was my hope that in light of this new information, you would be inclined to reconsider your position and understand that the aboriginal community deserves whatever additional support can be provided to them to address the serious issues that face their children.

Your legislation, Minister, section 1 of Bill 6, a bill you personally brought forward, states: "To recognize that Indian and native people should be entitled to provide, wherever possible, their own child and family services, and that all services to Indian and native children and families should be provided in a manner that recognizes their culture, heritage and traditions and the concept of the extended family." This right already existed, and certainly my leader, Dalton McGuinty, made that commitment in the First Steps document.

Your government talks about efficiencies and effectiveness, yet in the city of Toronto, Native Child and Family Services is an award-winning agency and you refuse to empower them, even though your own legislation would give you this direction.

Native Child and Family Services won the first-ever Atkins Award for Excellence in children's services in 1999. They were up against thousands of other agencies, so I think it's exemplary and noteworthy.

There are over 60,000 aboriginal people in the city of Toronto, a city that has systems for multiple children's aid societies. There is no reason for you not to designate this agency, an award-winning agency.

I also know that you receive \$4 million from the federal government every year for native services in Toronto. However, Native Child and Family Services gets \$1.052 million. Your government says it stresses efficiency and effectiveness, yet you continue to waste money on the duplication of services. You need to understand that this agency already goes out, it visits families, it makes assessments, and then they have to call in another agency to come in and do the same thing. If they were recognized as an agency, as a CAS, there would be a savings.

My questions remains: given all of this information, when will you designate Native Child and Family Services as a full children's aid society for the aboriginal peoples of Toronto?

The Acting Speaker (Mr Michael A. Brown): The parliamentary assistant.

Mr Bart Maves (Niagara Falls): I am pleased this evening to stand in place of the minister to reiterate part of his answer to the question of the member opposite.

I reviewed the Hansard, and it was rather clear. Sometimes some members opposite say you don't get clear answers during question period, but the question yesterday afternoon, as I go back and look at it, was, "Will you make Native Child and Family Services of Toronto a full-fledged children's aid society?" The answer from the minister was, "If the member opposite wants a clear answer, it is no, not at this time." I think the minister couldn't be more clear.

We in this government have done more in the area of the children's aid societies than any government before us, including the passage of new legislation. On top of that, we increased the funding to the children's aid

societies by about 100% over the last few years. We've increased the number of children's aid workers across the province by over 1,000.

But to get directly to the member opposite's question about aboriginal child welfare agencies, I just want to give some background. The first three agencies were designated in 1987. A few more were designated in the years since. In early 1997—

Interjections.

Mr Maves: The members opposite should really pay attention to this, because I think the safety of kids should be important to them.

In early 1997, there were increasing concerns about the capacity of some of these agencies to meet the ministry's requirements. Questions were raised about the cost for services and child safety. So in 1997, the ministry informed the aboriginal political leadership and agencies that it was conducting a review of the aboriginal child welfare program. The review was to help identify what should be done differently in the future to protect children, make better use of resources and inform ministry policy work on issues such as customary care and criteria for future designations. When the review was initiated, the ministry indicated that it would not designate any new aboriginal children's aid societies until the reviews were completed and the ministry had completed its policy work.

In October 1999, the ministry released the draft consolidated report to the office of the Chiefs of Ontario and aboriginal child welfare agencies, indicating that while implementing child welfare reform the ministry would focus on recommendations related to capacity building, customary care and coordination of services.

It remains that at this time a moratorium on further designations of aboriginal child welfare agencies will remain in place until we have a clear picture of how to best address the concerns raised. When all issues have been addressed, we will again look at possible designations for aboriginal agencies, but child safety must come first.

The Acting Speaker: There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 6:45 of the clock.

The House adjourned at 1810.

Evening meeting reported in volume B.

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Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

SOCIAL HOUSING REFORM ACT, 2000

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

Resuming the debate adjourned on October 16, 2000, on the motion for second reading of Bill 128, An Act respecting social housing / Projet de loi 128, Loi concernant le logement social.

The Acting Speaker (Mr Tony Martin): I believe the member for Trinity-Spadina is up.

Mr Rosario Marchese (Trinity-Spadina): I just made it in time. I was a bit worried about that. I was going to go wash my hands. Because I have a whole hour, I wanted my hands to be clean before the debate, right?

I didn't get a chance to do that. I had to rush in. That's why I want to let the 400,000 people watching know that we need more New Democrats in this place. That's what we need, more New Democrats. We can't do it alone. We need a New Democratic Party, I can tell you; otherwise, we'll have a two-party system as they do in the US. I've got to tell you, I don't know who's worse there, whether it's the Republicans or the Democrats. Is this what we want at the federal level? This is not what we need at the federal level. If you really want a party that is the social conscience of the people—at least that—you need us New Democrats.

Speaker, before I begin, I just want to say hello to my niece again, Celina Marchese. She's watching this program. Celina, a few people are clapping for you, including the Minister of Health, God bless her. She's got a tough job in this place, the Minister of Health. She's under a lot of criticism and under a lot of stress. She's doing the best she can in this good economy—not good enough, but she's doing the best she can. So I wanted to say hello to you, Celina, and I hope you become a good New Democratic politician when you get older.

I want to get into the bill, Bill 128, another big bill. I don't know where these poor civil servants find the time to produce these things—with fewer staff, because they fired about 20,000 people, remember, as a way of saying we've got too many bureaucrats, there's too much fat in the province. So there are a couple of people left to do

the job. I don't know how they're doing it, slaving night and day, working harder and longer for less money than ever before. God bless the bureaucrats, the ones these Tories criticize on a regular basis.

I want to start talking about this issue by attacking the federal Liberals—not because there's an election. I don't want to do that. It's a proviso here. I'm not doing it simply because I like to beat up on Liberals. I don't do that for that reason.

Mr Rick Bartolucci (Sudbury): I know you're going to move away from that.

Mr Marchese: I want to focus on that for a few brief moments and then move away. I just want to say to the Liberal cousins who are here that my attack is a legitimate one, and I think many of them support it too. I know that because I've talked to many and they're concerned about what the federal Liberals have done. I know that. You are on my side, I'm assuming, as I attack them as gently as I can.

The federal Liberals, through M. Martin, you will recall, in 1990 co-authored a report with another member whose name escapes me. In that report, they talked about having a national strategy for housing. In fact, Mr Martin was committed to the idea that what was needed was a national presence and a willingness by a national government to be involved in the housing business.

You can imagine that those of us who were interested in housing and having a role for government in the construction of housing were, of course, excited by that report. And of course providers and people who are socially concerned, who worry about whether or not everyone has adequate housing, decent housing, were lobbying this now minister, at the time just a regular opposition member. They had high hopes for this government when they came into power in 1993, assuming that this member, Mr Martin, who then became the Minister of Finance, would have a lot of credibility with the government—he wields a lot of power, certainly financial, being one of the right-hand men of M. Chrétien, if not the left, but I suspect more the right—and that because of his power and persuasion and influence, we would have a national housing strategy.

1850

I've got to tell those of you taxpayers who are watching, that national strategy that M. Martin spoke about in 1990 just disappeared when they got elected in 1993. It just disappeared. Not only did they not talk about housing and not only did they not talk about a national involvement on housing matters, they got out of the field

altogether. They started making deals—yes, even with the enemy that is here called the Conservative government. I know they were reluctant in the beginning, but they made a deal with them too.

What they have done, essentially, is to get out of the housing business by making agreements with provinces and territories so that they would no longer be involved as a government. That's not a national strategy; that's a national disgrace. Abandoning your role as a government in the field of housing is not a strategy, it's a disgrace, and people have to know that. When M. Chrétien says, "It's the Tories that are bad, but we have a heart," you've got to know that the Liberals don't have a heart; they just speak about having a heart at the national level in this regard.

These are the very same Liberals, by the way, the ones who say they have a big heart, who reduced their deficit on the backs of the unemployed. In fact, 40% of deficit reduction was due to the cuts they made to unemployment insurance benefits, the very benefits that people should enjoy, the very program that people pay into as an employment insurance program. Yet the government, having a surplus of billions of dollars, took away from the very people who ought to benefit, the very people who are paying into that program. That was the same Liberal government with a heart.

So you have to disabuse those who have this notion that this justice thing that M. Trudeau talked about when he was there 25 years ago is no longer there. It disappeared a long time ago, disappearing slowly because they have a strong desire to keep the Reform Party at bay—the former Reform, the former Social Credit, now the Canadian Alliance Party. It's all the same gang, the same gang with a different name. The Liberals, wanting to keep them at bay, have given the same tax cuts that the Tories have given here at the provincial level so they can be the party for everyone.

Housing has disappeared from the national scene because they have downloaded that responsibility to these fine Tories, and these fine Tories have downloaded their responsibility to the municipal government. What is the difference between the attacks this government makes on the federal government for getting out of the field and their own justification to get out of the field in the area of housing? What is the difference? What is that logic except—Minister, don't go away. Come sit here with us; talk with us a little bit. Don't go. We need you here. Stay for a little while. Gesture with me so that we can talk, you and I. Please, come.

He's leaving and he won't be able to see the dynamics of this discussion. That's OK. He doesn't have to listen, because I'm talking to you directly. I'm not talking to him. He's gone already; I'm talking to you directly.

Imagine. Devolution of a very essential responsibility to the municipal government is, in my view—were I a religious man, I would call it a sin, and if you are a religious person, I would say it is a sin. I put it under that rubric for a very good reason. First, provincial government ought to have that responsibility for something as

very basic as housing. It isn't something you should download to the municipality. It's something you ought to be keeping. And the federal government shouldn't devolve its responsibility to the provincial government; it's something they need to keep as well.

Why do you think in the 1970s we had the construction of rental accommodation, of public housing in Ontario and in Canada? Because the feds got into the field, because provinces and the feds and municipalities worked on it together. The reason we have nothing today is because the feds are out, and the reason we have nothing in Ontario is because the provincial government doesn't want to be involved any more.

In fact, M. Coburn, the parliamentary assistant, in his remarks said, "We have ended the boondoggle." By that he means the boondoggle that New Democrats created. What is that boondoggle? That boondoggle that we created was—

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Creating non-profit housing.

Mr Marchese: Creating non-profit housing. Exactly, David, non-profit housing and co-operative housing. Is it such a bad thing? Mr Tilson, the member for Dufferin-Peel, says that it was bad. I'm going to tell him why it's bad so his taxpayers know. His private sector friends said, "It's competition. It's too much competition for us. The government ought not be involved in the construction of housing, because they compete with us."

What does that mean? It means that the private developer and the landlord were not able, with the construction of non-profit and co-operative housing, to make the kind of profits they're making under this government. They wanted us out of the field, and the government obliged because they are the instrument of the corporate sector. That's why it was bad. So they manufactured some language that goes well with a lot of their taxpayers. "It was a boondoggle," they said. It sounds good. It's a boondoggle; that must be bad. It ran well with them. It ran well with their supporters, and their landlords, my God, they love it. They lap it up like you wouldn't believe, like hungry dogs to that plate of food.

I understand someone is organizing an event for Mr Day, and I believe it's \$25,000 a plate.

Interjection.

Mr Marchese: Someone said no, it's \$25,000 per table. OK, that might be. I thought it was per person. This guy reports they're not going to have any problem filling the hall with \$25,000 a plate. Let's say I misread it and it's \$25,000 per table. Can you conceive of that per table? That would be what? It would be \$2,000-some-odd a person. Do you have that kind of money, Speaker, to go to an event and pay to support your own party? No, you don't. You don't have \$2,000 for that kind of purpose. But these guys can find their corporate buddies who give of their paltry little sums, pocket change for them, so they can serve their interests by going to Mr Day's event.

It's the same problem with Mike Harris, because they have 700 events, and Mr McGuinty had a \$600 event, I want to tell you that. That is bad.

Mr Bartolucci: Howie had an event in Sudbury last weekend.

Mr Marchese: How much was his event?

Mr Bartolucci: I think it was \$550.

Mr Marchese: Come on. What are you going to invent next? You guys are going to invent some other number. Manufacture a number; it doesn't matter.

David Tilson, how much do you think our events are?

Mr Tilson: He will do it for five bucks.

Mr Marchese: Five bucks. You see how he manufactures again here and says five bucks. It's not true. My events are \$25 a pop. I can't get people to go to an event where I charge them \$100.

Some of our events at the NDP national level and provincial level, it's true, might be \$100. And yes, there's a line that says if you want to contribute more, like \$200, \$500 or \$1,000—who in our party has that kind of money to give to us? Who?

But these people have a lot of buddies they have helped to serve over the years and it's payback. That's what it's about; it's payback. Good people of Ontario, this is where your taxpayer dollars are going. They're going to these Tories because they serve the interests of the corporate sector and have you believe they're saving you money. That's what the game is about.

1900

We have to talk straight because you're the only ones, watching this debate, who are able to come to some decision or conclusion about what you hear from us. It's as direct as you can get it. You're not going to get it anywhere else. That's why I urge public involvement; that's why I urge civic involvement as a way of shaping our province, because without it all we've got is the millions of taxpayers dollars that Mike Harris is spending to convince you, day in and day out, that they're saving you money.

We need you badly to get out of your seats and out of your chairs and out of your homes to go to meetings and to be critical about what this government is doing. For that you need to be attentive and alert, and you've got to take the time to write to the Premier when you disagree with him.

Downloading of housing is one such critical matter that I urge you to pay attention to. Why are they downloading this responsibility to the property tax owner? That's where it's being shifted. They are shifting this responsibility to the tenants who pay property taxes and to the landlords who own homes and pay property taxes. That's where the money is coming from to pay for the housing. That's dumb. It's stupid. It's politics that in my view you cannot endure, you cannot accept.

Why is it a regressive thing to do? It's regressive because the property tax base ought not to be the venue for the maintenance and the paying of our public housing. It ought not to be. It's wrong. Over the last couple of years I've said that it's wrong. I continue to say it's wrong because it will be a tremendous problem for the municipalities and a tremendous mistake.

I want to speak to you directly. When the cities have a financial problem—as they have, as a result of which we've seen the loss of service in our municipalities. When Mayor Mel gets elected in the next election, as I suspect he will, he's going to have some more problems with the property tax because he's not going to raise property taxes. If he does, it'll be a very modest increase, maybe 1%, 2%. He can't do more than that; he's going to get killed, unless he plans to retire three years hence. Then he might gouge the tenants and the homeowners a little more. He might squeeze them. That's possible. But I'm not sure he's going to do that, because property tax owners are tired of paying the property taxes that they have been paying on their homes. Most of them would rather pay income tax than a property tax on their home, and it's a fairer thing to do. We should be taking from the income tax as a way of paying for our housing and not taking from the property tax base. It's not fair; it's not right.

You know that seniors own homes. You all know you own homes, and you pay taxes irrespective of the income that you have. Federal governments and municipal governments—at least this government has no interest in making it easier for you seniors who pay a hefty property tax on your home. Yes, they know you're not making as much as you used to when you were working, but they don't care about that. You pay a hefty property tax on your property whether you have the income or not.

You are going to be saddled with the cost of the maintenance of this public housing. If Mayor Mel doesn't increase your property tax base, then you may not suffer but the people in public housing will suffer. There's no magic around that. Either you increase property taxes to keep the services going or you keep the property tax base at zero and something's got to give.

I know municipal politicians. Do you think, like Mr Stockwell here, the Minister of Labour, when he was a city councillor, that if he had to serve a public housing sector versus the homeowners of a street that he would choose the public housing, MTHA, the metro housing authority, over a block of his homeowners in his area? I've got to tell you, he wouldn't do that. You wouldn't do that.

Interjection.

Mr Marchese: He laughs because he knows he wouldn't do that. He would be supporting his homeowners because, he says, and other municipal politicians say, they vote. "At least I know homeowners vote, and they're angry." He knows that the tenants are not out there screaming bloody murder for the taxes that they're paying, because it's hidden in the price that they pay, in the rent. He knows that. He also knows many of them don't vote, but he knows the homeowners vote.

So when there is a financial crunch at the municipal level, who do you think is going to suffer? It won't be the homeowner. It's going to be the people in public housing, in the metro housing authority, in Cityhome, in the non-profit homes and in the co-operative homes. They will all suffer. I can guarantee that, because there won't be the money to help them out. That's just the way it is.

The Tory commitment was to get out of the housing business, and they did that. They cancelled 117 of our projects that we had on the go when we were in government, which amounted to, I think, 16,000 units. Imagine how that would have helped so many people who are lining up. They're lining up for a decent, affordable home and there's nothing to be gotten because they cancelled those projects. They're not putting money into the construction of housing. If anything, they made it worse.

Speaker, you remember the Tenant Protection Act. I know you do. Alvin, you remember the Tenant Protection Act. That so-called act that was supposed to help out the—

Mr Alvin Curling (Scarborough-Rouge River): The foundation of Bill 61.

Mr Marchese: This was the bill, the Tenant Protection Act, that was supposed to help tenants. This was the bill to help the landlords. The landlords are the biggest lapdogs these people have and they are really snorking at the public trough, I can tell you. They did well in the last couple of years through their Tenant Protection Act. Mr Tilson, the member from Dufferin-Peel-Wellington-Grey, has no problem with that, because as far as he's concerned the other one was a boondoggle. But giving a whole lot of money to the private sector is not a boondoggle. Oh, no, that's helping his friends. These people have money and they help to create jobs, so that's OK. But to create housing for those who can't afford it, those powerless individuals who have no money to find decent, affordable housing? Mr Tilson says, "Ha. It was a boondoggle."

Mr Tilson: It was.

Mr Marchese: He keeps on saying, "Yeah, it was." It's OK. It's OK that people are in line-ups waiting for subsidies, waiting for affordable, decent homes. My God, we can't worry about everyone in this society. But we can worry about giving tax cuts to the wealthiest individuals in this province, because why? So that when they have their \$1,000 fundraisers or \$2,000 or \$10,000 fundraisers, they can have the landlord bring the cheque, just walk it in. You don't have to come. Don't worry. Just send the cheque in. That's what it's about.

We need in this province people who care about others who are not as lucky as we are, not as lucky as those of us who have jobs. We need you to worry about it, because this government is not worried about that. At least the red Tories, when they were here 30 years ago, worried about the public interest. There was a certain benevolence toward those who could least protect themselves. At least they had that. These people don't have any conscience whatsoever when they can throw thousands and thousands of people on the street and be smug about it.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): That's not true.

Mr Marchese: Defend yourself, Minister of Health, when it's your turn. I want to hear from you. It's not true? You have thrown thousands and thousands of

people on the street. The line-ups are endless. The line-ups are from here all the way to St Catharines, Kitchener, to wherever you're from. It's a long, long line of people, people who don't make \$110,000 a year, people who only make \$20,000, \$25,000, \$30,000 dollars a year, working hard and longer for less. They don't have the luxury that a minister making \$120,000 a year has. They don't have the luxury of their corporate friends who make millions and millions of dollars and can buy a home on the Bridle Path and not worry about where these other poor little people might live, if they have a place.

But, citizens of Ontario, you've got to worry about it. The nature of humanity is about that; the nature of citizenship is about that; that if we have, and someone doesn't, we find a way of sharing with them. That's what it ought to be about. At least the Tories understood that, the old red Tories. These people don't; they've forgotten it.

1910

We have a housing crisis and they're not solving it. I'll tell you why they're not solving it: because when the crisis gets worse, they're going to give away so much money to the private developer that they're going to be the happiest creatures on this land, like the old times, like the 1970s, when the money would roll in and the developer would be able to build because we, the government, were there, throwing the money out to them in wheelbarrows. "See, here, come and get it." This government, in a couple of years, is going to go there with a wheelbarrow, like they're doing with Andersen Consulting—taking half a million American over the border; the landlords and the developers, with the barrows, taking the money out and building housing.

That would be their solution to the crisis, but that won't be called a boondoggle, will it, member from Dufferin-Peel-Wellington-Grey? That will be called a responsible action by a responsible government to make sure that those who need homes will get it. That's what it will be called. Their bill will have something to that effect. A Conservative, responsible government creates housing by giving millions and millions of subsidies to the private sector; otherwise those people are going to be starving out there and be out on the street. That's what they're going to call it. Right, Mr Tilson, member from Dufferin-Peel-Wellington-Grey? Speak with me, speak with me and keep me alive here.

Interjection.

Mr Marchese: Oh, it's still a boondoggle, but it won't be a boondoggle when they give to the private sector, the developer, millions and millions of our taxpayers' dollars. That won't be called a boondoggle. That'll be called just being the instrument of the corporate sector.

Interjection.

Mr Marchese: OK, and we go back to the same stuff. OK, I'm going to be reasonable.

Let's just assume for a moment that what we did was a problem. Let's just assume that for a moment. We now have a housing crisis. Let's just assume that maybe some of them will agree with us, because even Conservative

commentators are agreeing that we've got a housing crisis. Mr Ibbitson wrote about that the other day. He said that we have a housing crisis and the Tories ought to "fix the problem."

A number of people say we've got a problem. They, the Tories, say what the NDP did was bad. What do they offer in its place? That's what I'm asking myself. What do they offer in its place to accommodate people of modest means so that they have the right to some kind of decent, affordable home? Mr Tilson, what did you propose about that? What's your answer to that?

He's not engaging me. He's engaging me with his silence and his silence means, "We've got no answer for you, Mr Marchese. We ain't doing nothing because we don't want to do nothing. We rely on the private sector to build." And where's the private sector? The private sector is nowhere to be seen. The private sector is not building at all. We're virtually at a standstill when it comes to public housing, affordable housing. I think last year they created 200 units.

Everybody has been commenting on the level of need in the last couple of years. Everyone has been commenting on what we need. The level of crisis is so incredibly high that the Canada Mortgage and Housing Corp says we will need about 80,000 units by 2001, which is this year. And we will only have built 6,000 or 5,000 units. Canada Mortgage and Housing Corp said that; I'm not saying it. Good listener in Ontario, I'm not saying that. If the Canada Mortgage and Housing Corp says we need 81,000 units and we have only built 6,000 or so, doesn't that tell you we have a crisis on our hands?

Yes. What are the Tories doing? They're waiting for the private sector to build. They're just waiting for them, that somehow magically, by some kind of divine intervention, they will build. Mr Clement went genuflecting about six months ago to the builders' association I believe, saying, "Please build some, because I'll look stupid if you don't." And the builders are not building. So poor Mr Clement and poor M. Leach—you remember mon ami M. Leach, who said, "When we introduce this Tenant Protection Act, the private sector will step in and build 10,000 units."

Mr Curling: He's gone.

Mr Marchese: He's gone. Of course he's gone. Why would he stick around for the failure? He's got a good job. The Tories gave him a good job. He's got a good pension. He's doing OK. I hope his dog is doing all right too.

The private sector is not doing its job. Why? Because they're not making money. You don't think that the private sector would be building if they thought they could make a couple of bucks? Of course they would. They're not building because there's no money. So what happens to those poor schleps out there who don't have the money? Listen to Mr Tilson: "Well, it's a boondoggle. Forget about it." OK, it's a boondoggle, forget about it, but we've got thousands of people waiting in line out there and Mr Tilson and these other people—Mr Tascona, I'm sure you'll agree, because you'll stand up

for your two minutes as well—"What the NDP did was just wrong and we're trying. We're doing so much." I'm waiting for Mr Tascona to say all the wonderful things this government is doing to create housing. I'm waiting for that, because they've got nothing.

They decontrolled the rents under the Tenant Protection Act, which means that every time you, tenant, leave one place for another, the landlord can charge whatever he or she wants, and they've been doing it for two years, reaping the benefits of that decontrolling of rents, meaning no rent control, while somebody else moves in as you move out. What a wonderful gift, pecunia, to give away for nothing. You've just got to pass a bill and that's it, and the rich people just make more money under the guise that by doing so they're going to clean up and maintain their buildings. They get close to 3% a year, guideline increases, for which they don't have to explain what it is they're doing—money pocketed away, good Ontarians' money pocketed away, 3.3 million tenants—reaping the benefits of guideline increases for which they do not have to be accountable, money—Mr Tascona is going to sit beside me and help me out; oh, he's not coming here—that will be pocketed by the landlords.

Tenants don't benefit. We go to tenants' meetings on a regular basis to inquire from them what kinds of repairs they're doing. The complaints are eternal. Most landlords, the bad ones in particular, never maintain their buildings in spite of the claims that this government makes. Above-guideline increases are happening all over the province, which were 3% under the NDP and are now 4%. They're happening all over the map. The poor tenant who earns \$25,000 or \$30,000 a year has got no option because, if he or she moves from one building and goes to another, their rent will skyrocket. So they've got to stay in their building. All I urge tenants to do is to fight back. You've got to organize tenants' associations in order to protect your interest. You've got no other choice. You've got no government that's protecting you. The only power you've got is yourself to form tenant organizations in your buildings to defend and protect your interests, and then turf the government out in the next three years when that election comes. It's all you've got; it's the only power you've got.

Mr Coburn, the member from Ottawa-Orléans, said in his remarks with respect to this bill, "Protecting tenants is the number one priority." Can you believe that?

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Yes, he said that. I heard him.

Mr Marchese: Yes. I read the transcripts on purpose. He said protecting tenants is his and his government's number one priority. Can you believe that? It was for that purpose that I talked about the Tenant Protection Act, that serves the interests of the private sector, and the only benefit the tenants have is the title, Tenant Protection Act, and nothing else. For this member to say their number one priority is tenants is laughable. It's a mockery. It demeans tenants. It makes fools of the rest of us who believe him.

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He goes on and makes it appear as if the rent geared to income, which will stay at 30% of the income, is somehow written in the act. It isn't written in the act. So do we have the protection? Only inasmuch as you believe the minister and that it will not increase from 30% to 35% or 37% or 38% some other time. It's not in the act, which means the government, strapped for cash on an ongoing basis because all the money is going out to the corporate tax cuts, has got to find money somewhere. It's going to make tenants pay at some point, and the 30% will increase to 35%, lo and behold.

Rent supplements, which some of the tenants get when they are in certain buildings, have been decreased by almost 30% by this government. They have been decreased by this government, not increased in spite of the claims they have made. When you hear these guys, these Tories, saying, "Tenants are our number one priority," it cracks me up. But it doesn't crack me up, as I've said before in a number of other speeches, with joy. It's tragedy. It's tragic humour that one is engaged in in this place when you hear them say stuff like that.

There's other stuff he's said. I'll make reference to a few other things. He talks about extensive, productive discussions with the stakeholders who were the mainstay of this government prior to the introduction of this bill. Which stakeholders? What level of participation did they have? Were they there in legitimate negotiations as to what it is they agreed to or ought to have or what they think is in their best interests? Or did they bring a couple of people together to tell them, "By the way, you don't have any power to change anything here. The only power you've got is to be able to do as we tell you, or else"? The framework for what they wanted, which is in this bill, is here. The few stakeholders they invited had to agree. That was the best they could hope for.

About two months ago, I think it was some kind of conference that brought federal and provincial members together to talk about the desire of Mr Gagliano at the federal level, the Minister of Public Works, to get involved, opening the doors for the construction of housing. It was somewhat humorous to see in the paper the comments of Mr Clement, who said in response to Mr Gagliano's comment that if Mr Gagliano didn't open the doors fast enough, he, Mr Clement, the Minister of Housing, was going to move in and do the job himself—the same minister, the same government, who got out of the housing business, who cancelled the 117 housing projects that the NDP introduced, who said that what we did in the past was a boondoggle and had the temerity to say that if the federal Liberal government doesn't open those doors fast enough to create housing, he was going to do it himself.

You see why I laugh with this tragic kind of humour? Because it doesn't make any sense. Not only doesn't it make sense; he mocks us in opposition and he mocks the public when he says those kinds of things. We know he is out of the housing business. He has not done a thing.

What have we got here? Who likes this proposal? Who out there likes it? David Crombie, a former Tory

who did the Who Does What kind of report, said that he doesn't agree with the downloading of housing.

M^{rs} Mulvale, the newest head of AMO, the Association of Municipalities of Ontario, just said that what we need to do is talk about not downloading, but uploading. Uploading was going to be the key word of her campaign against this government. I tell you, Mrs Mulvale is a Tory, God bless her little soul. She is a Tory and she said downloading is bad and that she's going to speak about "uploading" as the key word, meaning that you, province, take responsibility for these issues. "Don't download it to us because we don't have the money to support these programs." God bless Mrs Mulvale because she's going to be a powerful voice, and very articulate as well.

The board of trade about six months ago said that downloading is bad. They also said that we have a housing crisis and that the Conservative government has got to do something. Municipalities therefore don't want it because they see this as a big problem. So who is there that wants this? I don't know. That's why I raise these questions with you, good citizens of Ontario. This government says we're giving it to the level of government that is best prepared to deal with housing. The association of municipalities said, "We don't want it." The board of trade said this is dumb. David Crombie in the past has said it's dumb. Tenants don't want it because they're afraid; they say it's dumb. I'm struggling to find, other than these Conservative members, who their allies are and I don't find any. So I'm not sure where their support is for this kind of initiative.

Mr Coburn, the parliamentary assistant, also said that they will keep provincial responsibilities in a number of areas. He said the province will retain these powers: setting and monitoring standards; ensuring current levels of service are maintained; making sure the benefits and eligibility requirements are consistent province-wide. Municipalities must report on a regular basis to ensure that provincial standards are met and that units for the disabled, as he says, have access and that it's maintained. Even though in this regard they haven't introduced the Ontarians with Disabilities Act, I'm not sure how they square their concern for people with disabilities. Yet when we asked them to introduce the Ontarians with Disabilities Act—they're working on it, I guess.

They will maintain responsibility for the mortgage renewals for group insurance, which will go to another, third party, but presumably centrally controlled. The benchmarking is something, of course, they will set by the rules, whatever "benchmarking" means. Benchmarking is likely to mean the lowest common denominator so they can probably cut some dollars away from the providers of housing, pool of replacement reserves and so on.

The province wants to retain these provincial responsibilities and I think it's a good thing. The problem is, they have said to the municipal sector, "We trust you. We think you're the best placed to be able to handle housing." "Don't you trust them?" they often say to me. "Don't you trust them?" If they trusted them, why would

they need these provincial kind of rules? Why would they need these powers of the regulations which we know nothing about—

Mr McMeekin: Be selective.

Mr Marchese: We'll be very selective. You wait and see. But we know nothing about the regulations. They're not debatable. They don't come to the House to debate.

Why is it that if you believe that municipalities ought to have the power and the say, you then saddle them with provincial standards and guidelines, if you trust them? When you have provincial standards, what it means is that you don't really trust the municipalities, do you? You don't trust them. You just want to dump.

If you want to have provincial standards—which, by the way, I support—then why would you hand it down to the municipalities? Why would you do that? If you have the provincial ability to maintain those standards, because there's a need to do that across the province, why would you in the first place dump it down, member from Niagara Falls? Why would you do that? Either you trust them or you don't.

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My argument is that you shouldn't do it. My argument is, keep those provincial standards because they need to be there. Don't create yet another superbureaucracy at the municipal level. You've got governments creating provincial standards. You've got municipalities that will then create municipal standards. You've got providers who have to report to the municipal government. You've got the municipal government that's got to report to the provincial government. Doesn't that sound to you, member from Niagara Falls, like it's a tremendous amount of red tape? On the heels of talking about red tape, we are now dumping through a bill down to the municipal level where the red tape is so intricate that I don't know who's going to be responsible for what. At any moment it could be the city; at any moment it could be the provider; at any moment it could be the province. At any moment the province could come in and say, "Oh, by the way, we're changing the rules because it's in the law."

It's in the law that says, for example, "A transfer order may contain provisions dealing with other matters that cabinet ... considers necessary or advisable in connection with a transfer." It's an absolute power that the province retains for itself to say, "A transfer order may contain provisions dealing with other matters that cabinet ... considers necessary or advisable...." "Advisable"—whatever the government believes is advisable, and all that through regulation. It never has to come to the House for debate because presumably these omnipotent types know what they're doing and they don't have to worry about this at all.

There's a wonderful line that is given to us by Mr Coburn, the parliamentary assistant, who says, "The municipalities will now own and operate \$1.7 billion worth of valuable assets." First of all, if it's such an asset, why would they give it away? Second, if it's such an asset, why would the municipalities so resist it? But to hear the parliamentary assistant say they've got an asset on their

hands, they will now own and operate a valuable asset—again, I could hardly contain myself when I read that, because I wanted to read the Hansard.

Mrs Marie Bountrogianni (Hamilton Mountain): Is this containing yourself?

Mr Marchese: You could explode with comedy, with laughter; you could explode with tears. You could do so much. We don't have the time for anything. We don't have the time for that because there's so much to say. If it's such an asset, why is it that Peel did a study just a short little while ago that says, "By the way, this valuable asset that you're downloading to us is not such an asset at all"? In fact, they say, "We're going to need \$1.1 billion over the next long period for capital repairs." The parliamentary assistant says it's an asset: "We're giving it to you. Aren't you happy that we give you this? It's \$1.7 billion worth." Peel says, "Hold on a moment; hold on here. We've done a study that says we need \$1.1 billion." That doesn't sound right, but to hear these Tories, they're giving them an asset of \$1.7 billion.

Yesterday the parliamentary assistant referred to two studies that say, "The capital stock of housing we've got is as good as, or in some cases even better than, some other housing." Mr Caplan yesterday quite properly said, "Where are these studies? Show them to us." It's a well-kept secret. They make reference to a study that we don't know anything about. We've asked for years, "Do the study, show us the study, make it public; let's debate it." There's no debate on studies. The parliamentary assistant just makes the statement that the studies have been done and they show the stock is as good as or even better than what the private sector—

Mr McMeekin: They don't know.

Mr Marchese: What do they know? They have to manufacture an idea. They've got to sell it to the good public. They've got to sell it to Ontarians, so they've got to tell them something, and the only thing they can tell you is that what the New Democrats did, and the Liberals before us, is a boondoggle. That's all they can tell you, and if you buy into that, they're good salesmen. What can I say? If you buy into that, the people who need housing will simply have to struggle as best they can. It's survival of the fittest; it's Darwinian. What can you do? Whoever is the stronger animal will win, and the weaker animal will die; it's the nature of things, according to Conservative ideological philosophy.

Oh, but David, it's true. It's Darwinian in the sense that—right?—the strong survive. The rich do well; they buy good houses or good condominiums. The poor? Well, cardboard boxes. If that's what they're entitled to because they don't work hard enough, that's what they're entitled to. That's what I mean by survival of the fittest, the dog-eat-dog kind of world I wanted to mention.

There is a little clause here in this bill, section 59, which exempts the transfers from the Fraudulent Conveyances Act.

Mr McMeekin: I missed that.

Mr Marchese: Are you going to talk about that too, later?

Mr McMeekin: You go ahead.

Mr Marchese: No, but you expand on it, because we'll touch on a few things. It exempts the transfers from the Fraudulent Conveyances Act. By the way, the act voids conveyances of real property and other items where the conveyance was made with the intent to "defeat, hinder, delay or defraud creditors and others." What's this about? What this is about is that the provincial government is very worried that somehow the municipality is going to find itself with some problems and that they're going to take the provincial government to court. So they said, "Let's exempt the transfers from the Fraudulent Conveyances Act just in case the municipalities might come back to us someday and say, 'We're taking you to court. By the way, capital repairs are not what you said they were,' or a number of other areas that may be pertinent to"—

Mr McMeekin: That's why they don't want to tell us.

Mr Marchese: But why would they tell you that? My goodness, why would they tell you that? You have to read this stuff, right? It's technical stuff. Good people of the Metro Toronto Housing Authority who are watching this, try reading this stuff.

Mrs Bountogianni: Get Tascona to read it to you.

Mr Marchese: Yes, the legal minds. Good people from Metro Housing, please read this stuff. One friend of mine from the co-operative sector said, "It took me seven readings, and I still do not understand it very well." This is a very able person.

Interjection: He's in the business.

Mr Marchese: Yes, he's in the business. He said, "I had to read and reread it several times." Do you think ordinary Ontarians are going to understand this? No, they're not. They're not going to read this; they're not going to follow this. All the Tories are going to sell you is that what we did before was a boondoggle. That's all that matters.

What more is there? My goodness, the bill strips union rights away from the hard-working employees of housing authorities. The government tramples on workers so municipalities won't complain as much about assuming responsibility for the housing. That's why, I believe, they handed it down. "The workers and the unions, yes, were handed down to the municipalities, and what will happen we don't have a clue. Municipalities will have to deal with that." What about grievances? Well, they don't exist any more. That's part of the deal—poor unions, poor workers, but workers, my God, are irrelevant. Unions? My God, they're irrelevant too. "We've got to worry about the bottom line; we've got to worry about profits; we've got to worry about saving money. We can't worry about workers and union rights, my God." Some 33% or 34% of the people are unionized. This government is working its way to having no unions whatsoever. Wouldn't that be idyllic for this Conservative government? Only 33% are organized, a small number of people. Slowly, Mr Stockwell, my good buddy the Minister of Labour, is going to make it so that we will have fewer and fewer unions in the next couple of years. This government will make it happen.

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We need public hearings. We need to make this government accountable. The only way we can make this government accountable is through hearings. That's the only power the public has to disagree with this government. You need to demand public hearings on this bill. You need to demand it from a social point of view, a political point of view, and a human point of view.

The human point of view is that when they download it to the property tax base, municipalities and municipal politicians will be stuck because there's a financial crunch, and they will not take care of the needs of those working people and those working-poor people and those seniors who are in those buildings. They will not worry about them. From that human perspective and social perspective, you've got to worry.

From a political perspective you've got to worry about the fact that this download is irresponsible. It's a giving away of a social obligation and a governmental obligation, of its duties to all of its citizens that it's shutting down, abandoning, passing down to the municipal sector. From a political level it's stupid, it's wrong, because when governments can simply do that on issues of that sort, it means they will not be there to look after your interests. If they can do that with poor people, with seniors, with modest working people who earn only \$30,000 or \$40,000 a year, less or more, they can do it with all of you who are not in those types of rental accommodations or housing accommodations. You ought to worry. You've got to worry about that.

You, it seems to me, in order to become more active citizens, have got to become more active and get out of your houses and get out of your apartments and start organizing in a way that you can shape the politics of this province and not let Harris shape the politics as he deems, as they want. You can do that.

What has happened in these last five years is that the government has had free rein to do what it wants. There have been pockets of resistance and fight-back on a number of issues in a number of places in Ontario, but it's not big enough and it's not hard enough. The only voice we opposition members have is the voice that we provide through these debates, and that certainly isn't enough to sway the 11 million people who are in this province. It's not enough. We need your help. We need you to be politically active. Without you we are useless members of this House. We are. We are powerless. The only power we have is the power that you give us. The only power you have is to be able to tell governments, "We disagree with you," and only by expressing it strongly and visibly will this government have to start listening to you and not to themselves and their own ideology.

We can't abandon those responsibilities as this government is abandoning its own responsibilities when it claims that this is the non-government government. When it claims that this government is getting out of so many areas of concern, you ought to worry about the implications of that. I am profoundly worried. I am

profoundly worried about the direction this government has taken us over the last five years and the direction it's going to take us over the next three.

You had better, good citizens, prepare for an economic downturn that will come. It is inevitable, not because I will it but because it comes every seven to 10 years. When the downturn comes and these Tories have given away 10 billion bucks, five to the corporate sector and five, six, seven billion dollars to high-income individuals, when the downturn comes and we have no more money, where will you be and where will our services be?

The member from Niagara Falls might tell us, "Oh, we have done a great job of making people rich in this place." What they have done is make people rich, but they have left a gap, an unbridgeable gap, between those very wealthy whom they help and the very modest-income people at the bottom. We need you to become more actively involved as a way of dealing with this kind of politics that leaves us all very vulnerable, that leaves less government obligation and more on the shoulders of everybody else to deal with, as if they have the means to be able to deal with it, and many do not.

The Acting Speaker: Comments and questions?

Mr Bart Maves (Niagara Falls): It gives me great pleasure to rise and respond to the member for Trinity-Spadina. My good friend Vince Quarranta in Niagara Falls, who watches the parliamentary channel quite often, enjoys listening to the member from Trinity-Spadina; he refers to him as the Italian Shakespeare. I have passed that on to the member before and I know he takes that as the compliment that it is. He has a sort of poetic whine when he speaks. It's a very interesting style and it's one that engages a lot of people, but I must get to the content of the member opposite's speech at this time, his very thorough one-hour speech.

He complained about the government of Ontario attaching standards to public housing in Ontario. It's a service that can be delivered not directly by the province but that is a province-wide service, just like for many years, decades, under all stripes of government, hospital services have been delivered by local boards, school boards have overseen the delivery of education, and there have been children's aid societies. These are province-wide services. They have local boards. Municipalities deliver welfare, but it's a province-wide program with provincial standards. All of these things have provincial standards.

The member opposite said, "You're devolving something to the local municipality, but you're attaching standards." Well, of course we would. It would be totally irresponsible not to attach standards to that, just like it would be totally irresponsible for us to let hospitals be run by local boards and children's aid societies to be run by local boards and to not attach standards. It would be irresponsible for us to let daycares be operated without standards. Of course we attach standards to all of those things, just like we're going to attach standards to the delivery of this province-wide service that is public housing.

Mr Curling: I don't know if you noticed the name of this bill. It says, An Act respecting social housing. This government has no respect for social housing, none whatsoever, and they are going to put here An Act respecting social housing.

We could look at it another way too. If it's an act to respect social housing and they have no respect for it, they pass it along to the municipality. When they pass it along to the municipality, they give no authority and they download it there without any sort of funding whatsoever.

This government has never addressed itself to those in need of affordable housing. I think they don't know how, so what they have done is to completely confuse the whole issue. As a matter of fact, we know we shouldn't make mention of the minister, who isn't here, but I would have liked the minister to be here, and I would hope that he is listening too, because maybe we can convince him somehow.

The rent control aspect of it all: they speak with this double tongue, "Oh, we have rent control." These are the same people who voted for rent control, and as soon as they got in, they got rid of it. They have no respect for people who want affordable housing. My colleague from Don Valley East spoke so eloquently about that aspect of it; I hope they were listening. If you look at what they have done to housing, they have destroyed social housing completely. Affordability is not in their words at all. They swore that, "We're going to build in the top end and all our friends who are developers and landlords will then eventually give to the other poor and more deserving." They have not built one unit.

They're embarrassed about it. That's why they're shuffling it off to the municipalities now, and in shuffling it off to the municipalities they are reneging on their responsibility. This government should be ashamed of the things they do in social housing.

Mr David Christopherson (Hamilton West): I want to rise and compliment my colleague from Trinity-Spadina. I think the passion and the awareness and the detailed understanding of what has been such a complex bill that, quite frankly, does so much damage is a real plus to this place. I might say, just parenthetically, that when my good friend Alvin Curling, from Scarborough-Rouge River, was on his feet saying, "You have no respect for social housing whatsoever," what people can't see in the cameras is a bunch of backbenchers over there all laughing and saying, "Yeah, yeah, you're right. We don't, we don't." The fact of the matter is that they don't care about social housing because, as my colleague from Trinity-Spadina points out, they don't care about the people who would live in it. They're not your people. They don't fit into your Ontario. Your Ontario doesn't have room for people who face the kinds of challenges or misfortunes that those who live in social housing do.

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I think that instead of laughing at what's being said over here, some of you ought to just give it a little thought, because I'm willing to bet that you really

haven't thought through all the implications, not on you or on the politics of back home but on the actual people who live in social housing, who live in co-ops, who live in public housing—call it what you will—the impact on them, because the fact is that you've given this to municipalities, and municipalities can't afford it. It makes no sense.

You talk about a common sense revolution? Where's the common sense in taking housing and giving it to municipalities? That's not why they're there. They don't have the infrastructure. When my colleague talks about all the bureaucracy and conditions, it's because municipalities aren't equipped. But then, as I pointed out at the beginning of my remarks, you don't care anyway.

Mr Wayne Wettlaufer (Kitchener Centre): The member from Trinity-Spadina so eloquently placed his position before us, as he so often does. My wife loves listening to him, watching him on TV. She says, "You know, he speaks as though he really believes in what he says." She says, "That's what's funny," and I said, "No, my dear, what's funny is that he really does believe it."

They talk about no funding. No funding? Under the federal-provincial agreement in 1999, the federal government is going to flow funding to the provincial government for social housing. We are taking that funding and we are turning it, by virtue of this bill right here, right back to the municipalities so that the municipalities will be able to administer the program with no changes to what is going on right now. The program will be run exactly the same.

For the member from Hamilton West to say that the members of the backbench here were laughing, he wasn't even here. He doesn't even know the context. Nobody was laughing.

Interjection.

The Acting Speaker: Member from Hamilton West, you'll have to withdraw that comment.

Mr Christopherson: I hope you're going to call on him to withdraw his inaccurate comments. But he is an idiot.

The Acting Speaker: Just withdraw the comment.

Mr Christopherson: I withdraw.

Mr Wettlaufer: I guess when people on TV look at me and say that I was called an idiot, they will consider the source. There is a lot going on here. There is a lot going on.

We are going to monitor compliance of this program with the federal principles for the use of the federal funding. We are going to continue to ensure the federal government is providing mortgage insurance, and we are going to ensure that it is handled properly.

The Acting Speaker: Response?

Mr Marchese: I thank my friends and foes. In my last two minutes, I would simply remind the good public of Ontario: you remember the Tenant Protection Act. The landlords genuflect, snorking at the public trough as a result of that one.

Interjections.

Mr Marchese: I haven't got much time, please.

This act is called An Act respecting social housing. The only benefit accrued to those who live in social housing is the title. It's all they got: the title. Everything else they're getting is a big risk.

I'll tell you this: when there is an economic downturn and we, the province, will be faced with very few bucks, the municipalities will find themselves in a more difficult situation than we will, because they're only relying on property taxes from the tenants and from the house owner and from the business sector, which they don't want to hurt. When that is the case, what do you think is going to suffer? Not just housing, but every other service that is within their own jurisdiction. But social housing will be the worst off, because they will worry about the homeowner before they worry about people living in social housing.

We need hearings. We need the people of Ontario to come to those hearings. We need you to meet with the Tories and ask them what's in that bill. We need you to contact us so that we can help you to better understand this bill and give you the information you need so that you can take greater control of what's happening in this place. Don't let them abandon those essential responsibilities by handing this housing need to the municipal sector, which relies on property taxes for its base. Don't let them do that. It's wrong.

The Acting Speaker: Further debate.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate on Bill 128, which simply reads An Act respecting social housing. The proposed legislation sets out mandatory provincial requirements for coordinated access to social housing. I emphasize "coordinated access to social housing" because that is an important part of this legislation, and it's important that people have a transparent and seamless approach to deal with social housing.

Coordinated access helps simplify the applications process for people who need housing assistance. It is an important component of an efficiently run housing system. Under the system proposed, service managers would coordinate access to social housing in their communities to ensure that individuals seeking assistance can get the information they need and can place their names on waiting lists at any access site in their community. Each service manager would be responsible for how applicants are assessed and selected as well as for the administration of financial testing.

The proposed coordinated access system would place applicants on a centralized waiting list according to their choice of provider, projects, locations and needs. The applicants on the waiting list would be ranked according to the process approved by the service manager, taking into account need and the length of time on the list. The housing providers would select the tenants in order from that list. There would be mandatory priority for victims of family violence.

Beyond the provincial requirements, municipalities would have the flexibility to establish local priorities for access as long as these priorities did not conflict with

provincial priorities, with provincial standards for service levels or with the Ontario Human Rights Code. Service managers might choose to integrate coordinated access services with Ontario Works and child care programs or to delegate this role to housing providers or other community organizations. The legislation would also ensure that applicants with special needs would have priority access to special-needs units.

The government is fulfilling its January 1997 local services realignment commitment to transfer responsibility for social housing programs to municipalities. This has three key benefits. First, it puts a local service back into the hands of the local community so that the service can more effectively reflect the local needs. Second, it means that the local community can more effectively integrate this service with other locally delivered social services such as Ontario Works and child care so that clients can be better and more efficiently served. Third, it means that the responsibility for the bricks and mortar will be in the hands of the local government, where it more appropriately belongs.

Tenants in social housing will not lose their homes, and their tenure is secure. The province is proposing to transfer simpler, more streamlined and efficient social housing programs that will be more cost-effective and easier for municipalities to administer.

As of January 1, 1998, municipalities started to pay the cost of social housing programs as part of the local services realignment. In exchange, the province took 50% of the education costs off the residential property tax, which gives municipalities the municipal tax room to meet the cost of new service responsibilities, including social housing costs.

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Since 1997, municipalities have benefited from a \$100-million decline in social housing costs, due in large part to lower mortgage costs. These decisions, if approved by the Legislature, will give municipalities the say for pay they are expecting.

The province is transferring public housing to municipalities, a valuable asset with a gross value worth \$3 billion. The province is proposing to transfer social housing to municipalities in two stages. The public housing portfolio is proposed to be transferred by the end of 2000, and the non-profit portfolio would follow within approximately 18 months of proclamation of the enabling legislation. The province is proposing to provide transition funding to help municipalities with costs of assuming social housing.

The question is, why is the province proposing to transfer social housing to municipalities? Social housing is a service that is best administered at the local level. Local governments are closest to the people they serve and best know the needs of their communities. Transferring social housing to the municipal level would provide the opportunity to integrate some aspects of the program delivery with other social services such as Ontario Works and child care.

Mr Caplan: Why?

Mr Tascona: This, in return, would pave the way for better services for individuals and lower costs for taxpayers.

I hear "why" from the other side, mainly from the Toronto members, who have no understanding of what's going on in the province outside of Toronto.

The proposed legislation restructures governance of the social housing business. Currently, municipalities pay for social housing while the province administers the program. The legislation will provide a new structure to allow service managers to administer social housing.

Social housing has been funded and administrated by both the federal and provincial governments. The transfer will include 84,000 public housing units and 156,000 non-profit and co-operative housing units. In January 1997, the government announced that provincial responsibilities for social housing would be delivered to the municipalities as part of the local services realignment. The province assumed half of the education costs that were raised through the residential property taxes, giving the municipalities tax room and sufficient revenues to take on new services responsibilities, including social housing.

The municipalities have been paying the costs of social housing since January 1, 1998. The province continues to administer the social housing portfolio. The province signed a social housing agreement with the federal government on November 17, 1999. The signing of the agreement allowed the province to proceed with the proposed transfer of social housing administration to the municipal level and to prepare to introduce the necessary legislation for devolution. The new agreement allows the province or municipalities to simplify social housing programs, streamline administrative arrangements and serve clients more effectively. The agreement also transferred some federally administered social housing projects to provincial administration. These federal providers will retain their agreements under municipal administration. The province will receive money from the federal government to meet the financial obligations for housing that the federal government has cost-shared in the past, as well as for housing that it funded unilaterally.

If the Legislature approves legislation this fall, public housing will be transferred to the municipal level on January 1, 2001, and the non-profit housing portfolio will be transferred to the municipal level within approximately 18 months of proclamation of the enabling legislation.

Social housing tenants, as I've said, will not be affected. Their tenure is secure. The municipalities themselves will manage, operate and administer their own social housing portfolios, so it won't be a program that's set up in Toronto to dictate to communities like Barrie how they're going to operate their public housing and how they're going to operate the non-profit housing.

The province will continue to play a key role in setting and monitoring province-wide standards. The provincial standards would ensure: (1) that there is compliance with

the terms of the federal-provincial social housing agreement; (2) that the municipalities will continue to provide assistance to the same number of rent-geared-to-income households as those receiving this assistance at the time of the administration devolution; (3) that there are province-wide rules on eligibility and benefit levels, and geared-to-income rents would continue to be set at 30% of income; (4) that municipalities report on a regular basis to ensure that provincial and federal standards are being met; and (5) that the current supply of units modified for physically disabled access will be maintained.

The roles and responsibilities of non-profit and co-operative housing providers would remain essentially the same. The province proposes to replace a range of different operating agreements for non-profit and co-op providers with one stable, consistent accountability framework that would be set in legislation.

Under the new funding model, non-profit and co-operative housing providers would be given a fixed level of subsidy with which they would be required to operate. Providers would gain more autonomy, funding predictability and streamlined accountability. Roles and responsibilities and agreements of federal providers would remain the same.

Service managers have a key role in this legislation, and the question for the public is that they want to know what the service managers are. Service managers were designated as delivery agents for social services by the government in 1997, as part of local services realignment. The government's aim is to consolidate municipal service management for social and community health services and to streamline and improve service. There are 47 service managers to manage social assistance, also known as Ontario Works, child care and social housing. They include 36 municipalities that have been designated as service managers in southern Ontario. In northern Ontario there are 10 district social services administration boards, and the regional municipality of Sudbury has been designated as a service manager.

As part of this debate, I want to give some facts about public housing in Ontario. There are 84,000 units of public housing owned by the Ontario Housing Corp and operated by local housing authorities. The Ontario Housing Corp is an agency of the government of Ontario and is governed by a board of directors appointed by order in council. The Ontario Housing Corp gives policy direction, manages the budget and funds the local housing authorities. Each local housing authority is an agency of the government of Ontario and is governed by a board of directors appointed by order in council. All public housing units are subsidized for tenants with low or moderate incomes. These tenants pay rent geared to income, also known as RGI. The tenants' household income and assets are assessed, and the rent calculated at 30% of household income.

If the Legislature approves legislation this fall, on January 1, 2001, the government will transfer the entire public housing business to the municipal level. Tenants'

security of tenure and subsidy would not be affected by the transfer. Geared-to-income rents would continue to be set at 30% of income. The proposed legislation restructures governance of the public housing business. The new structure would allow service managers direct control of both the property management business and the properties, with minimal disruption to tenants.

If the proposed legislation is passed, local housing authorities would be dissolved. The properties they manage would be transferred to the local housing corporations, also known as LHCs. The LHCs would manage the properties in much the same way as the local housing authorities do now. The local housing corporations would be formed under the Business Corporations Act. Service managers would be named as the sole shareholder of the local housing corporation. Shares would be issued to each service manager through the legislation and each service manager could transfer some shares to municipalities within its service area.

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Local housing corporations would own the public housing properties. The service managers would fund the local housing corporations by monthly payments based on an annual budget. Current local housing authority board members would become initial board members of the local housing corporation. Service managers could replace or appoint board members to the local housing corporations on an ongoing basis.

Local housing authority staff would be transferred to the local housing corporation with existing terms and conditions of employment. After the transfer, service managers could change the structure and organization of the local housing corporations, including consolidating their administration within a new or existing municipal department.

The Ontario Housing Corp would continue to operate, but in a greatly reduced capacity. It would deal with residual provincial functions such as making payments on debentures.

We've commented already with respect to the service managers, but I think it's important to talk about the funding assistance for social housing. The province signed a social housing agreement with the federal government on November 17, 1999. The social housing agreement transferred the administration and management responsibilities for the federal government housing programs to the province. As part of the agreement with the federal government, the province is receiving an annual transfer of federal funding. This funding amounts to \$525 million in the first year, and this total amount decreases in small annual increments as agreements expire. A portion of the federal funds will be retained by the province to meet its obligations, including its responsibilities for dedicated supportive housing and potentially, depending on the outcome of the consultation, the rural and native housing program.

The province proposes to flow the funds provided by the federal government to the service managers to fund the federal social housing and cost-share programs that

are being transferred to them. The province also proposes to flow one-time funding of \$58 million to deal with the future capital funding pressures related to the federal projects being transferred. Any annual surplus will be distributed proportionately among the service managers. The service managers must use all surplus federal funding for housing purposes, including the new rent supplement program.

Speaking on the transitional funding, service managers may be eligible to access a total of \$5.6 million in one-time transition funding from the province. Funding will be given to service managers to offset some start-up costs such as administrative office set-up, costs of computer equipment or costs of hiring consultants. The province is also providing service managers with one-time funding specifically to assist with costs of property management systems for public housing. Service managers may be eligible to receive funding to help defray costs related to registering the titles to public housing buildings. The distribution of transition funding for each service manager will be determined through consultation with municipal representatives.

The key thing, which I mentioned earlier when I was speaking, is the coordinated access to social housing. Members, all of us, deal with this issue, and something I've been looking for is more coordination in terms of dealing with this. I deal with the South Simcoe and Barrie Housing Authority. We have non-profit housing within the city of Barrie, the town of Innisfil and the town of Bradford-West Gwillimbury. Throughout the riding we're dealing with this.

Applicants for social housing, be it non-profit, co-op and public housing in their communities across the province can, apply for social housing through the co-ordinated access systems. These systems vary across regions of the province from an information-sharing system to a fully operational centrally administered system. Each system must provide three services to applicants: (a) consolidated information about non-profit, co-operative and public housing options in the community; (b) a common application form for all social housing providers participating in the system; and (c) a single assessment of eligibility for social housing with applications forwarded to the selected providers for placement on the waiting list. Each system may provide one or both of the following services: maintenance of the waiting list and selection of residents from applicant waiting lists.

In many communities local housing authorities maintain the coordinated access systems. Financial testing is currently done by housing providers. If the legislation is passed, roles and responsibilities for coordinated access will change.

I'm running short of time. What I'd like to say in closing is that I think this proposed legislation addresses the situation that needs to be addressed with respect to public housing and non-profit housing. It focuses on the special needs of the population that needs this service.

The Acting Speaker (Mr Michael A. Brown): Questions and comments?

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): When it comes to social housing, there are many inequities all over the province. In my riding of Stormont-Dundas-Charlottenburgh we have our own inequities in social housing. The Cornwall and Area Housing Authority is surrounded by the counties of Stormont, Dundas and Glengarry. If the social housing transfer is successful, the city of Cornwall and the united counties will both be providing significant portions of the operating budget to the housing authority. It would stand to reason that if both the counties and the city are providing funding for the housing authority, they should have equal representation on the board.

At this point there are eight members on the board. In 1998 the Minister of Municipal Affairs and Housing transferred the provincial positions on the local housing authorities to municipalities. At that time the local consolidated municipal service managers were given the responsibility of nominating candidates.

Recently four positions became available on the housing authority board and the consolidated municipal service manager for the city of Cornwall appointed four members of the Cornwall city council. They have tried to stack the board. The city members are leaving the counties out in the cold.

Since most housing authority appointments are for three years, if the social housing transfer takes place, the united counties will be financially responsible for a portion of the housing authority bill but they will not have equal representation on the board.

It's all right to listen to the people across the way who say this is good for municipalities. It's not. We should have that bill go to committee and look at these situations and get them straightened out because this is not going to go away. It's going to come back to haunt you for many years if you don't do something about it.

Mr Christopherson: I want to comment on the remarks of the member for Barrie-Simcoe-Bradford. He certainly lays out—

Mr Tascona: Be nice.

Mr Christopherson: I'm always nice. I'm not always agreeable, but I'm always nice—at least I think so.

Let me say that you lay out a good argument but what's lacking in it is what seems to be lacking in the government as a whole: there's just no heart in it. We aren't talking about some inanimate object here, being bricks and mortar only. We're talking about people's homes, and in many cases people who, without the assistance of a senior level of government that's awash in billions of dollars of surplus, wouldn't have a home.

It was interesting that the member talked about the fact he thought it was better for municipal governments to be operating this because they're closer to the people. You have to admit that's a stretch, when you're the government that ripped responsibility for education out of local control and centralized it in an education czar where you make all the decisions.

It's clear that you've got contrived arguments, that you're doing the best you can—I might point out too, by the way, that with the education changes you made, you

can't even get trustees to run for those offices. How well did you serve local government when you changed the system to the point where nobody wants to be a school trustee any more? I think that's what your goal is with social housing. You hope that if you make it so tough and so complicated and starve it for funding, eventually the province will throw their hands up in the air and say, "Ah, we give up." Well, we aren't going to give up. This is too important.

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Mr Maves: I just want to rise and compliment the member from Barrie-Simcoe-Bradford for his comments. He always has well-thought-out, well-researched comments when he rises to speak in this House.

Applause.

Mr Maves: The members opposite, by their applause, obviously agree with that.

The member made the comment that being administered at a local level is closer to home and it'll work better there. Part of the connection that's being made is that right now welfare is being delivered, and has been for a very long time in the province of Ontario, by municipal delivery agents. Right now, daycare is being delivered by municipal delivery agents. So the case-workers there know what resources are immediately available in their community, they know their clientele. I think what the member was trying to get at was that having that base of knowledge will make that almost a nice triumvirate that can be packaged and utilized better at the local level to have the housing, the daycare and the social assistance all at that level. They can do more and can target it better than some bureaucrat from a provincial level might be able to do. I think that's what the member was getting at.

The members opposite also talk about that municipalities don't want us to complete this devolution. As the member also pointed out, we lifted, uploaded the cost of education on to the province and left billions of dollars of taxes with the local level, and in exchange they were going to look after other services. They've been looking after and paying for these housing services since 1998 but we've continued to administer them. This is just completing that devolution.

Now, if we didn't complete the devolution, they would have a windfall of the costs of the public housing. Would it be returned to the ratepayers in tax breaks? We don't think so. We don't think so, unfortunately. So, we're completing the devolution started in 1997.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): After reading the contents of this bill, I wonder if the members of this government have read this bill. I wonder if they're up to par, really, if they have followed since 1997, since the downloading, what is happening to the municipalities.

In the second paragraph of this communiqué, they're saying the municipalities and taxpayers will have a saving of \$100 million a year. That's impossible. Already it's been paid by the government, and today it's the low-income families who are going to pay the difference and the municipalities are going to absorb the costs.

Just in Glengarry-Prescott-Russell, the costs of this downloading to the municipalities there are going to be over \$4 million. That excluded the management costs, and today, as of January 1, 2001, the municipalities will be responsible for all the administration costs. When I look at the administration costs, it includes the insurance, municipal taxes, legal fees. It's very hard. That used to be covered by this government, but now it will be the municipalities.

I wonder if those people have been talking to the mayors of their own municipalities, because I'm sure not a single municipality in this province is in favour of this transfer. Even though you say they'll have the right to look after the operations, they will have to follow the rules of this government.

It is unfair that from now on the municipalities will be paying the whole costs, which in my own municipalities will be over \$4 million a year.

The Acting Speaker: Response?

Mr Tascona: I'm very pleased to be able to comment on the, I would say, thoughtful comments from the member for Stormont-Dundas-Charlottenburgh. Certainly there seems to be an issue there between the city and the county, but the member doesn't seem to want to make any reference to the federal government's role in this transfer process.

The same could be said for the member for Glengarry-Prescott-Russell, who seems to forget that since January 1, 1998, the municipalities started to pay for the costs of social housing programs. They were given tremendous flexibility with respect to the province taking over the education.

The member from Hamilton West, in terms of how he presents this—and he's always consistent in how he presents this in terms of our role—I think has missed the point on this one, because the fact is that municipal government is closer to the people. I think he has to acknowledge that. The fact of the matter is that in education, all we did was to set standards for the school boards to satisfy, and there's nothing different here with respect to social housing. There are provincial standards that are going to have to be satisfied by the municipalities in this process.

Interjection.

The Acting Speaker: Member for Don Valley East.

Mr Tascona: The key thing, as the member from Niagara Falls pointed out, is that this is going to be administered at the local level, by people who know the community, and the key is that there is going to be coordinated access to social housing—much simpler—to look after the people in need.

Interjection.

The Acting Speaker: The member for Don Valley East knows that it's out of order to heckle. He knows that it's more out of order to heckle from a seat other than his own.

Further debate? The member for Ancaster-Dundas-Flamborough-Aldershot.

Applause.

Mr McMeekin: This doesn't count now, Mr Speaker, does it? I just want to say hi to Whitney. Hi, Whit.

Thank you. I feel a bit like that passenger on the Titanic who went up to the captain and said, "You know, Captain, I have something I want to tell you, that I think you ought to know. The food on this ship is really quite bad," and the captain said, "You know, that's just the tip of the iceberg." This is just the tip of the iceberg.

I'm not sure how representative I am of the adult world, but as adults, when we think of sharing our time and our resources and our wealth, we often use words like "charity" and "justice." There's an important distinction between those two words. To put it quite simply, charity's about helping people with their immediate needs, while justice is about changing the conditions of needy people. In medical terms, charity would alleviate symptoms while justice would cure the disease.

This government, on a good day, may know something about charity, but it seems to have very little understanding about justice—as I think the member for Trinity-Spadina was saying earlier, very much unlike some of the predecessor governments. The Frost, Robarts and Davis governments at least had that sense of the common good and wanting to take care of that.

In the press release that made reference to this bill, there was talk about ending the social boondoggle. One of the kids in my neighbourhood asked me what a boondoggle was, and I said there are really two definitions of a boondoggle. Of course, there's the dictionary definition, which I was tempted to go to, but then there's this government's definition. You know what the government's definition of a boondoggle is? That's getting rid of anything that this government continues to fund that actually helps people, and dumping it somewhere else. That's what a boondoggle is.

It's sad. I come from a municipal background, as you know, being the mayor of that great municipality known as the town of Flamborough, the only municipality that actually lowered taxes six years in a row, and you know the reward we got.

Mr Bartolucci: Until the downloading hit.

Mr McMeekin: Until the downloading hit. Well, it just went crazy, Rick, I tell you, and in that role as mayor and regional councillor I had a number of experiences that I want to share.

I happened to chair the region's community service and public health committee. Talk about a form of vicarious trauma, David—you did that job too—as group after group impacted by the downloading came and said, "We just can't provide the kind of service to the vulnerable, to the needy in our community."

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I sat on a group called the MIT group, the ministry and transition group, that was struck after the Minister of Health decided to close the Hamilton Psychiatric Hospital. We had to try to put together how we were going to house those folks. As we know from the wonderful work that Anne Golden has done, about 54% of the homeless in Metro Toronto are people who suffer

from one or another form of mental illness. Those are the kinds of things that we're having to deal with.

I had the opportunity to chair a committee at the district health council which looked at second-level lodging homes and the complete abandonment by this government of the financial supports that were at one point in place to assist there.

A river runs through all of these experiences for me, and the river has a name. The name is Abandonment; the name is Giving Up.

In the riding of Ancaster-Dundas-Flamborough-Aldershot, we've experienced at first hand what downloading does. We've seen the \$80-million cut in non-conditional grants. We saw the so-called revenue-neutral downloading that ended up costing us \$37 million, and we live every day, as the members for Hamilton West and Hamilton Mountain know, with the arbitrary and very discriminatory business education tax. It costs our community \$35 million every single year.

My colleague our housing critic talks quite knowingly and decidedly about the dump that's taking place now, the \$356 million in costs that are going to be dumped on the backs of municipalities, and over \$1 billion in Ontario. This bill we see tonight isn't a say for pay. It represents the government's view of social housing and the people who live there, and the policy is nay, nay, nay. Sad, sad.

I can recall, Mr Chairman, or Mr Speaker, as I'm sure you can—sorry. The old experience keeps coming out, the Speaker and the Chairman. But Mr Speaker, you remember the Who Does What commission, the Who Does What to Whom commission, where this government went out and hired the very best people they could: Crombie; even our regional chairman, Mr Cooke, brought his considerable expertise to that table. You got the best advice you could before you completely ignored it. Shame.

We've all heard the story, in fact it's a matter of legend now, about how social housing ended up being on the table here tonight. Rumour has it, and I think it's safe, that the cabinet was looking at what service was likely going to skyrocket in cost, given the next downturn in the economy, and the then Minister of Municipal Affairs and Housing—somebody named Mr Leach, I believe—said, "Why don't we just throw in social housing? That should kind of even it out."

Mrs Bountrogianni: That was Leach.

Mr McMeekin: Yes, that was him, wasn't it? "We'll ignore our responsibilities; we'll just give it away."

There's lots of talk when this sort of thing happens about pay for say, and you give it a fancy name like "the government closest to the people": "We want to send something to the government that's closest to the people." That kind of rhetoric didn't save my town of Flamborough, the only municipality in all of Ontario that actually lowered taxes six years in a row. It didn't save the municipalities of Ancaster and Dundas, and as the members opposite know, in the recent by-election the voters there said in a very clear way that the jig was up.

They understood very fully what this government was doing and how it was shirking its responsibilities.

This government has the gall to talk about municipal report cards. I don't know. The people simply aren't fooled. They know what this is really about. The member for Trinity-Spadina talked about that sense of social Darwinism—and I think he was right on—this survival of the fittest: “We’ll download things, we’ll create a patchwork quilt of social housing right across the province, and we’ll see if the fittest can survive.” That might be great for a science class, but it hardly constitutes a decent, socially responsible housing policy in this province.

I want to say to the government that they’re heading in the wrong direction. Having said that, I want to make it clear that I’m thankful we live in a province as prosperous as Ontario. I think it’s great that the economy is booming. In fact, nobody would have remembered the Good Samaritan if he hadn’t had money. But it doesn’t make very much sense, from the concept of trying to equitably adjust to the needs of people in the province, if in the midst of that prosperity we can’t somehow find the time and the will to look over our shoulders and to spot the vulnerable and respond to the needs there. That’s very much what social housing ought to be about, and I think this bill really misses the mark on that as more and more is being shoved down the throats of municipalities.

I’ve spoken to municipal leaders in the city of Hamilton who say this is going to be the death knell of social housing. With all the downloading that’s come, with all the costs there and with all the rhetoric about tax cuts and the pressures that municipalities are under, there’s a firm belief that there won’t be another unit of social housing built. I think if that happens it will be on this government’s head, without a doubt.

The sad thing is that it could work if the senior levels of government—and I would include the federal government; that’s fair ball—could ever get their act together. I can remember the days many years ago when Mr Davis was the Premier here, when partnership actually worked, when we talked about limited dividend buildings, when we had the spirit to talk about the possibility maybe even of a national housing allowance, when we talked about rent-to-own and how that lifted up the morale and that sense of potential that people had in community. But those days are certainly gone. We don’t see any encouragement any more. We don’t see incentives with the private sector.

The minister knows. He’s speaking to the homebuilders’ groups. He knows the private sector isn’t delivering the housing that needs to be put in place to meet the needs of 15,000-plus people on waiting lists. It just isn’t happening, and it isn’t happening for one fundamental reason, which the member for Trinity-Spadina mentioned: there’s not a lot of money in social housing.

I’m reminded of something Bobby Kennedy said. He talked about a just society. There were some great Canadians of recent reference who talked about the just society. He said we ought to get involved, if people have

needs, because we love people, but if we can’t get involved because we love them, we ought to get involved because it makes good, sound economic sense to avoid the kind of tragedies that all too often befall societies when we’re not prepared to respond.

We don’t build strong, healthy communities by shamefully and shamelessly abandoning the historic partnerships that previous governments had struggled for years to put in place. I’ve got to tell you, I think there are members who sat—

Interjection.

Mr McMeekin: I know there’s a cost to it. There’s a cost to everything. But I say to some of the members opposite, do you want to live in a province that’s prosperous but has more and more people falling by the wayside?

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It’s almost like there’s a big wagon train going west to your promised land, wherever that is. Every once in a while you stop along the trail, and do you know why? Because you’ve got to let off the disabled; you’ve got to let off the aged; you’ve got to let off the poor. You want to speed up the journey. You want to get there faster. That’s not the kind of trail we on this side of the House want to travel. Lord help municipalities when we go through our next economic downturn.

We ought to be looking today at what kinds of supports this government could put in place and what kinds of creative entrepreneurial partnerships we could put in place, to work together again, to recapture that sense of doing something right for a change. I don’t mean “right.” You make the movie, *The Right Stuff*, and then you can make another movie, *The Far Right Stuff*. I don’t mean the far right stuff; I mean doing the right thing. I think we can recapture that.

Interesting quote: I mentioned in passing the other day that I’d actually had the privilege of doing some studying here and looking at the Comay task force on housing back in 1974. By the way, this was when the provincial government of the day was struggling with where they would go. Here’s a quote, if I could just go back to those heady days, from that report which was the preamble to that time when the government of the day actually created the Ministry of Housing.

Here’s what was said: “An adequate housing policy must take account of many factors, but two problems stand above all others. One is the problem of production to generate and maintain a level of house building activity adequate for the requirements of a growing population. The other is the problem of distribution, more specifically the problem of ensuring that those in lower income groups” actually “share in the improvement of housing conditions.” Those two “problems are related. The more effectively the problem of housing production is resolved, the easier is the problem of distribution. But when housing production falls short of requirements, the housing problem of those in low-income groups becomes even more acute.”

Within a couple of months of that being written, the government of the day moved to actually create the

Ministry of Housing, which is going to be a meaningless ministry if it continues to exist at all. There are two basic approaches I would add to that. We have this belief that governments shouldn't be involved at all. Then there are others who say, "Well, maybe we need the partnership approach," which I would argue.

It's clear that the so-called filter-down theory hasn't worked. The minister knows that. He said that. With the shortage in the supply of housing, there is less and less choice for those who need assistance with basic housing. Waiting lists grow and grow. Those who are already residing in public housing often feel locked in, particularly with the removal of rent controls and all those difficulties.

I had to laugh too, like the member from Trinity-Spadina, when I heard the member from the Ottawa riding the other day make reference to tenants being this government's number one concern. There aren't very many tenants in this province, I say with respect, who would buy that.

There you have it. We've got a situation here where the rich are getting richer, the poor are getting poorer and the middle class is falling further and further behind, where the social consequences of not meeting the basic right for housing in this province are so dramatic, where homelessness is growing everywhere, where poverty is increasing dramatically.

In fact, a recent study in the new great city of Hamilton that came up talked about poverty. Do you know that 25% of the women who live in the new city of Hamilton are in the category of poor; 25% of immigrants; 26% of youth 15 to 24; 27% of children 0 to 14; 27% of persons without a secondary school certificate; 32% of our seniors living in poverty; and 32% of persons who are not in the labour force?

I want to conclude with a bit of dramatization about poverty and its impact. To do so, I'd like to read something that was written by some grade 4 and 5 students, actually, out of North Bay. I commend it to members of this House, particularly the members sitting opposite. This is what the kids said poverty was. These are kids from North Bay.

"Poverty is:

"wishing you could go to McDonald's

"getting a basket from the Santa fund

"feeling ashamed

"when my dad can't get a job

"not buying books at the book fair

"not getting to go to birthday parties

"hearing my mom and dad fight over money

"not ever getting a pet because it costs too much

"not being able to go camping

"not getting a hot dog on hot dog day

"not getting pizza on pizza day

"never being about to go to

Canada's Wonderland

"not being able to have your friends

sleep over

"pretending that you forgot your lunch

"being afraid to tell your mom that you need gym shoes

"not having any breakfast sometimes

"not being able to play hockey

"sometimes really hard because

my mom gets scared and she cries

"hiding your feet so the teacher won't get cross when you don't have boots

"not being able to go to Cubs or play soccer

"not being able to take swimming lessons ...

"not being able to afford a holiday

"not having pretty barrettes for your hair

"not having your own private backyard

"being teased for the way you are dressed

"not getting to go on school trips"

and, are you ready for the final line?

"wishing you had a" really "nice house" to live in.

I commend that to members of the House, from the kids from North Bay.

The Acting Speaker: Questions and comments?

Mr Christopherson: It's my pleasure to be the first one to rise after the first speech to the House by the member for Ancaster-Dundas-Flamborough-Aldershot. Let me just say to him that you really aren't a full-fledged member till you've asked your question, responded at least once and then made your first speech. Welcome to the House formally.

Not only that, I might point out that you did something very, very special, Ted. You not only had the House acknowledge that it was your first speech, with all of us applauding, which is the normal way, and your colleagues stood up—that's the normal way—but you got half the Tory backbenchers to stand up and give you a standing ovation too when you were first getting on your feet. So I compliment you on your achievement on your every first speech.

Hon Chris Stockwell (Minister of Labour): Don't get used to it.

Mr Christopherson: We have the Minister of Labour heckling across the floor, which he knows is out of order, "Don't get used to it." That's very true too, he having been a minister who got applauded the first time he stood up and never heard it since.

So much of what the member said is so relevant to all this, I'll just pick one item in the few moments I have: the impact on municipalities. Certainly the honourable member knows of what he speaks, given his immediate past history. Having been one of those who was saddled with the burden of wrestling with local budgets in the Hamilton-Wentworth region and in his own home town of Flamborough, he knows the impact of budget cuts and slashing funding to municipalities. The notion that somehow municipalities are equipped, in this Harris era, to adequately respond to the pressures and needs on social housing would be laughable if it weren't so

serious. This is a huge mistake, and I think the member did an excellent job of making that point.

Mrs Julia Munro (York North): First of all, I'd certainly like to congratulate the member for Ancaster-Dundas-Flamborough-Aldershot on making his maiden speech this evening.

I'd like to just draw attention to some of the more important aspects of this bill. First of all, it is honouring a commitment that we made as a government some time ago, recognizing the fact that devolution allowed for the municipalities to be able to operate in a more efficient way, to be able to ensure that those decisions were being made closer to home.

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It is clear from the benefits that have come from being able to work with the municipalities in areas such as social assistance and child care that these are also part of that whole process, to be able to make sure that communities are able to deliver those programs in the most efficient manner.

This bill sets out a framework for the administration of housing by setting up areas within the province that can operate as service managers for the community. It makes it clear that people need to have this kind of efficiency through the one-stop shop, through the ability to operate in a way that reflects the needs of the individual community. It's really for those reasons that this piece of legislation marks that commitment to continue and facilitate the devolution.

Mr Curling: Let me also commend the member from Ancaster-Dundas-Flamborough-Aldershot for an excellent presentation. Ted McMeekin, as you know, is someone who sends a very clear message to Ontario and this government: that they have to listen to what the people are saying. It was rather refreshing to hear him speak, because from the time that he won the seat, I can tell you that the Tories on the other side looked up. Immediately, the Minister of Municipal Affairs and Housing started sending money for a commuting transit problem that they had there. They knew that he came with the authority of thousands of people who were speaking very well and said that you're not listening to them. You haven't heard the last of him. This is just the initial part, the impression upon this House. I know that every time he gets up many in the back room and the spin doctors there are listening very carefully, because they know the influence he had. The bragging that you all went on about in that era, now we have someone who can speak—very much so.

I wanted to touch on one point that he made in his speech. The fact is that it was so moving and is so current. He talked about a young person who said, "I'd like to have a place to call home." You know what? When you look at this bill here, it is for those who can't afford it, who won't be able to call their place home. They have reneged on their responsibility, and this is the point he's making: where is your responsibility; where is your social conscience about those who need a home? It's the base in which we all will survive, and if you renege on those responsibilities, you shall live to see that day. He will be here forever to remind you about that.

Mr David Young (Willowdale): It is indeed an honour to have an opportunity to comment upon the maiden speech of the newest member of this Legislature, the member from Ancaster-Dundas-Flamborough-Aldershot. In fact, when I was listening to his speech, I thought for just a brief moment that it was a member from this side of the House speaking, because there were moments of clarity that caused me to think that the individual presenting that particular statement sincerely believed that tax cuts were important, sincerely believed and was proud of the fact that there was going to be and had been for the past six years a tax freeze in his municipality. He understood that more taxes didn't necessarily mean a better quality of life.

For that brief moment, and I closed my eyes, I thought for a second it was a member on this side of the Legislature who had that moment of clarity that I was sharing with him. But in fact, he went on and unfortunately engaged in some level of the usual Liberal rhetoric that equates more government and more money with a better quality of life. Of course, there isn't necessarily a relation between one and the other.

I have very limited time, but I want to put this in perspective. I want those in this Legislature, who I know are listening intently, and those watching by way of their television sets to understand that it has been two and a half years that municipalities have been funding social housing within their respective communities. By presenting this legislation, we are giving those municipalities a say for their pay. It is that simple: a say for their pay.

The genesis of this entire process was the Who Does What, as it is euphemistically called, the LSR, which involved the transfer of certain resources and responsibilities between the province and municipalities after considerable negotiations. This is the natural fruition.

The Acting Speaker: The member for Ancaster-Dundas-Flamborough-Aldershot has two minutes to reply.

Mr McMeekin: First of all, I would like to thank all the members who had the courage to applaud my maiden speech. I appreciate the warm reception and some of the ideas.

I want to say to certain members opposite that I don't think there is anything wrong with people making money. I don't think there is anything wrong with government being efficient. You're right, I don't think there is anything wrong with responsible tax cuts that don't gut the services. But the difference between some of the comments emanating from the other side and what I was attempting to say here is that, like St Francis, you need to have the wisdom to know the difference.

I can tell you quite candidly that the downloading in difficult economic times, particularly of those kinds of issues that the Who Does What group visited and said it didn't make any sense to download to municipalities—social housing being the key, and the shifts in the welfare funding. It was very clear. David Crombie said it very well: "The first economic downturn that befalls this

province, municipalities are going to get it in the ear." We know that, and I suspect, if the truth were known, members opposite know that too, and my fear is that that's exactly why you're taking the kinds of policy initiatives you're taking, you know, dumping. I could do very well if I could get somebody to pick up my mortgage payments, and I suspect that's exactly what the government on the other side is attempting to do.

The Acting Speaker: Further debate?

Mr Joseph Spina (Brampton Centre): I unfortunately didn't have the opportunity to applaud the maiden speech of the member from Ancaster-Dundas-Flamborough-Aldershot. I just wanted to say welcome. The previous member of that riding used to sit beside me, so you're welcome to come and join me any time, Ted.

A number of issues have surfaced in the discussions here among the various members, and a couple of questions that we could talk about. What is the government doing to encourage the development of affordable housing in the future? They've taken a number of steps to encourage new supply and improve the climate for investment in rental housing. The rent controls were replaced by the Tenant Protection Act, which encourages investment in rental housing by allowing landlords to set market rents on vacant units. The Ontario building code was amended to encourage the development of single-room occupancies. The PST rebate program provides a grant of \$2,000 per affordable unit that offsets the impact of that provincial sales tax.

The government is actively working to find ways to increase new supply. We're trying to get other provinces and levels of government onside to deal with the decline of private sector construction of affordable housing and to look at productive ways to encourage the industry to get back into building.

Mr Christopherson: Use your own words.

Mr Spina: Is the province giving municipalities transitional funding, I say to the member from Hamilton? I can tell you that when we were going through the Who Does What exercise three years ago—the uploading, downloading, let's see who's working—what happened in the region of Peel and across this province was that the consideration of social housing was on the table. It was on the table with AMO, it was on the table with NOMA, it was on the table with FONOM.

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The reality was, as we went through that process and went through the discussions—and at the time, as I know the previous members recall, I was the parliamentary assistant to the Minister of Northern Development. Part of the responsibility with which I was charged was to travel across the north and talk to the municipalities in northern Ontario about the responsibilities that we were proposing they would assume, and also about what assistance they needed to be able to cope with the downloaded services; in addition to that, what services would be adopted by the provincial government in order to be able to mitigate that transition of services. So we went through a number of issues. At the time, to devolve social

housing was an extremely difficult proposition for the municipalities to take, along with the other services. Nobody argued that, that was a given, and we understood the reason for that. It was a difficult situation.

However, they said, "Just give us time to get our head around the changes that are being proposed and then we'd be happy to look at it." Well, folks, here's the day. We're now looking at it, and it's in consultation with the industry, with the municipalities, with the district social services administration boards, or the DSSABs, as they are known across northern Ontario. But let me tell you what the region of Peel said to us—not just me as the MPP for Brampton North at the time, but also the other MPPs from both Brampton and Mississauga. The region of Peel said to us, "Look, we understand that you want to download the provincial social housing services to us. We operate it as it is now. All you do as a government essentially is set the guidelines and give us the funding in order to make the system work." Well, devolving it now gave the municipalities the control they really needed in order to best manage the property. Folks, that's what this bill is all about. We're devolving the responsibility, the managerial responsibility of these housing units for which the municipality already has the operational responsibility. That's simply what it is.

Is there transitional funding? Of course, to the tune of about \$5.6 million. Some service managers will be eligible to access up to \$5.6 million in a one-time transition from the province. That can be used to offset start-ups, costs of computer equipment, hiring in consultants and so forth. But the regional municipality of Peel said to myself and the other members from Peel, "Listen, give us the responsibility, but at least give us the tools with which we can manage the process. If you're going to give it to us, give it all to us and don't put shackles around our hands. Give us the flexibility to get rid of the units that we want to get rid of and to hold on to the ones we want to hold on to." What happens then is that, as this bill is now putting forward, the number of units allocated per municipality will remain intact. If the municipality chooses to devolve, to get rid of, to sell off portions of the social housing allocation that they currently have, it must be replaced. They can only do that through permission and under agreement with the ministry.

For example, if a municipality has 50 or 100 units that you want to sell off, for whatever reason, then they must come to the ministry and ask for permission to devolve those units. What happens in response in the ministry is that if they sell off those 100 units they must replace them in one way, shape, form or another. That means that those 100 families or individuals who are particularly involved in that transaction must be taken care of by the social service agency of that municipality, or that DSSAB. If it means putting them into perhaps a co-op housing unit that has space available, or if it means moving them to another housing unit that has been built by the private sector but still maintained for these tenants, or if it means these tenants will be allowed to integrate their lifestyle into a completely private sector

unit—townhouse, apartment, semi, whatever—it allows the tenant to move into private sector housing subsidized through the social service agency by the municipality or the DSSAB. And you know what? Nobody has to know they're subsidized. So it doesn't matter if you're in a 500-unit apartment building and 50 of those tenants in that apartment building happen to be subsidized by the social service agency. That's great. They still have the appropriate housing geared to their income for their ability to live according to their income level.

That's what this whole thing is about. The philosophy that we ran on in 1995 and we continued to run on in 1999 was that the government should not be in the business of subsidizing bricks and mortar. We are in the business of assisting people who truly need assistance to live either in government housing, in social housing, or in geared-to-income, non-profit units, or, frankly, what's wrong with assisting these people to live in a fully private sector unit where the apartment building or the townhouse complex is at full market value but they are receiving assistance from social services in order to live in that environment? I don't think there's anything wrong with that. Frankly, it gets people out of that sort of ghettoizing concept that none of us want. It allows the opportunity for these people to live in a regular neighbourhood like anyone else, and no one has to know they're in a subsidized environment.

Those are the elements that are really key to the devolvement of these social housing responsibilities. That's what this is about. That's what we've been trying to do.

Are there transition dollars? Yes, there are transition dollars. Are the proposed standards still going to be there that are there today? Yes, they will remain intact. It would ensure that there's compliance with the terms of the signed federal-provincial social housing agreement. It would ensure that the municipalities will continue to provide assistance to the same number of rent-geared-to-income households as those receiving this assistance at the time of the administrative devolution. The municipalities will report on a regular basis to ensure that provincial and federal standards are being met. There will be fair and consistent eligibility, benefit and access policies right across the province, and the current supply of units modified for physically disabled access will be at least maintained, if not enhanced.

That's what this is about. That's what we are trying to do with this bill.

By the way, I forgot to indicate that I would be sharing my time with the member for Niagara Falls. If that is acceptable to the Speaker, I'd be happy to now devolve my share of the time to my colleague from Niagara Falls, just down the road from Aldershot.

Mr Maves: Thank you to the member for Brampton Centre for kindly allowing me eight and a half minutes to speak to this bill.

Before I begin, I also want to add my congratulations to the member for Ancaster-Dundas-Flamborough-Aldershot for his maiden speech in the Legislature. I didn't

hear it in its entirety, but I did hear the bulk of it, and I congratulate him on that. I also congratulate him on his election and being a member of the Legislature.

The member from Brampton did a good job of reminding us all that this is the final leg in the transfer of services that the province did with the municipalities back in 1998.

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The member, when he was parliamentary assistant, went to northern Ontario and spent a lot of time with northern municipalities talking about the transfer of services at that time. Indeed, we had several committees and several different people, including David Crombie and others, doing a lot of work with the municipalities, with AMO at the time, to try to work out this package of uploading the cost of education to the province and letting the municipalities maintain those education revenues raised from property taxes locally to fund other services the province had been paying for.

At one point in time, there was a huge swap proposed with uploading all of the education costs and passing down to the municipalities a much bigger parcel of services to be delivered at that level. The municipalities, after they had done all kinds of negotiations and discussions and had commissions and reports—and by the way, this was all predicated by 24 studies in the post-war era in Ontario that said to get education off the property tax. It's not something that came out of the wild blue yonder. It wasn't just an idea that came from nowhere.

In fact, the NDP's David Cooke, who was the Minister of Municipal Affairs in the early 1990s, looked at this, uploading education and transferring down and letting them keep the education property tax revenues to pay for services. He didn't do it. At the time it was a matter of, I think, political courage. Municipalities have said for years, "We need to shift education up because it's a social service. Give us hard services." Housing is a hard service. It's bricks and mortar. They're going to maintain it. They're going to look after it just like they do local roads, for instance.

The member from Brampton did a good job of reminding us of that. Not only did he do a good job of reminding us that this is the completion of that transfer of services; what we should be reminded of tonight is that initially we had a broader transfer of services, all of education and a bigger basket of services to the municipalities.

What happened was that AMO balked at that and they made a proposal to the government which became the transfer of service. It was actually AMO, at the end of the day, who made a proposal to us. They said: "Look, leave us with 50% of education property taxes. You take the 50% that we're now funding and just give us a smaller basket of services to deliver at this level." That included social housing. That's where we are today.

Since 1998, municipalities, out of those education revenues that they get to keep, are paying for the cost of social housing. I have to remind you that year after

year—because every year we work out the equation of costs that the municipalities are incurring from the transferred services, plus the revenues they're getting from keeping education taxes, whatever the difference is—if there is a difference that's not in their favour, we transfer them dollars to make that up. When we keep an eye on those costs, we see in each region, in each municipality, what the costs are on an annual basis.

The costs for social housing have gone down year after year. They continue to go down. In fact, they've dropped about \$100 million in the past two years. You just can't neglect that. We transfer something that's a saving. The cost has continued to decline. Municipalities are also having huge savings in the decline of people on social assistance. There's a big saving there for municipalities.

This is not something new. This is not something that anyone is not expecting. The municipalities have been paying this for two years. Now they're getting administrative control over it. That's all it is. There are 84,000 units of public housing that are being transferred; 156,000 non-profit and co-op housing units will follow over a period of 18 months.

One of the members opposite did a heartfelt plea that all of these people who are in public housing or in a rent-geared-to-income unit, non-profit unit, co-op unit, are all of a sudden being thrown out into the street, that they're not going to have any place to live. Poppycock. He knows better than that. He shouldn't fearmonger like that, because if there are people sitting at home listening to this debate, they may have the impression that all of a sudden they're going to be moved out of their public housing units. The actual fact is that the eligibility rules remain the same as they are now. All households in need will continue to be eligible to apply for social housing. We're not getting rid of any units; we're not moving anyone out of their homes. They're all going to stay in their existing facilities when we transfer this to them. To try to fearmonger that is absolutely ridiculous.

Another discussion point that has continued to come up tonight from the members opposite is what kind of maintenance has been kept up for the public housing stock. Is it in a state of good repair? We've said that there are two studies, one by the IBI Group called "Ontario Housing Corporation: Analysis of Building Condition Assessments," and it talks about the fact that the housing stock that we're transferring is indeed in very good condition. The ministry is going to make those available. I believe they'll even be available on the ministry Web site in a very short period of time, so members opposite will be able to look at that.

We've been spending hundreds of millions of dollars in improving and keeping up the public housing units. I would argue in some cases that we're probably spending too much money on some of that housing stock. I know that in my region of Niagara, I've had contractors who have bid on contracts to do repairs to the public housing stock come to me and say, "You know what? This doesn't need to be done. This is work that does not need

to be done." But it's being done anyway because of the old bureaucratic language of, "Well, we've got the money. If we don't spend it...." There's been money that has been wasted on this. In my area I've heard that several times.

Mr Richard Patten (Ottawa Centre): Come to my riding.

Mr Maves: The member opposite says he's got some problems in his area. Well, I contend that in mine we don't. We've got two studies that have said we don't. So there are going to be continued financial dollars, capital dollars, to maintain that. As I said at the outset, there is \$100 million in savings and lower costs that municipalities are going to be met with because of the cost of this.

By the way, where are the savings coming from? The NDP, when they brought in most of this housing, got stuck with such huge mortgages that were 13%, 14%, 15% higher. As we've been renewing mortgages because they've been coming up, that's where we've incurred a lot of the cost savings over time. Those savings will continue to accrue as more of those old mortgages come due and we can renew them at a lower and lower rate.

As the member from Brampton said, this is the final step in the process of devolution. There has been all kinds of consultation on it—

The Acting Speaker: Thank you.

Mr Lalonde: Once again, the more I listen to the people of the government debating this bill, the less I think they have experience at the municipal council level. Not one municipality would support this bill. I looked at the backlog we have at the present time. If I look at Ottawa, for example, 5,000 to 6,000 people on the waiting list; Toronto, 20,000; if I go to Flamborough, around 1,500; in my riding, about 300. I just want to tell you, as my colleague from Ancaster-Dundas-Flamborough-Aldershot said a little while ago, don't give up. Continue fighting so that one of these days the government will understand why we are fighting for low-income families and the middle class.

I remember when this government appointed the Who Does What committee. The Who Does What committee was appointed by the Premier so those people could send a message locally as to what Mr Harris wanted. When I say "what they wanted," even though it was against the will of all the people locally, the idea of the Premier has to go through. When I look at the downloading, for example—ambulance, police, roads, assessments, health prevention, farm tax rebates, septic tank approvals—the government passed seven bills last year to try to organize what they have failed in. After talking to different municipalities, all municipalities kept saying, "I don't think this government knows where they are going." At the present time in my own riding the shortfall caused by this downloading is going to be around \$26 million.

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Mr Christopherson: I wish to comment on the remarks of the member for Niagara Falls because, to listen to him, he's one of the few over there who injects a little bit of caring and seems to certainly convey a concern, and I believe it's legitimate.

I've decided to leave you alone, Joe, so you should be thankful for that.

The member should appreciate that a lot of this is based on trust, "Have faith, we'll do the right thing," because much of the dirty work is always in the detail, and in this case the detail is the regulations. Regulations don't happen here. We pass the law, the framework, but regulations happen in cabinet. Cabinet is not an open system. Again, it's not a criticism on the process, but what you're putting there.

For instance, all of the operating agreements with co-ops are going to be cancelled and they'll all be replaced by formulas and a framework in regulation. But we don't know what that's going to be. It's all based on trust. It's all based on, "Don't worry, we'll take care of it," but when we look at the track record of this government over the last five or six years, I can tell you that it does not give a lot of trust that you're going to do the right thing. We're probably more concerned, as was played with earlier, that you're going to do the far right thing, that you're going to be more concerned about dollars than you are about people. You've proven that over and over. Education, health care, social services, the disabled—pick an issue and you have hurt people. Now, in the course of this debate, you want people to believe that somehow magically you're going to be transformed overnight and all of these regulations are going to make everything just wonderful. Well, we don't believe it. Things aren't going to be wonderful. This is not good for municipalities and it's certainly not good for those who need affordable housing.

Hon Cameron Jackson (Minister of Tourism): I'd like to comment and commend both my colleagues from Brampton Centre and Niagara Falls for their comments on this important bill. But I do want to put in context a couple of the points that I think have been missed in this debate.

First of all, I think it's been lost on this whole debate that this government has very clearly made an indication that it trusts and supports the role of municipalities in developing communities, in determining the housing mixes in their communities and determining the needs. I can tell you, as one who was involved in social housing as the chairman of a housing authority, when we ventured forth to look at building new social housing in our communities, one of the biggest fights we had was with the local aldermen who said, "We don't want this housing in our backyard." The truth of the matter is that one of the major benefits that is going to accrue from this is that municipalities are going to take some ownership for developing and determining the proper mix of access to affordable housing, and not just social housing for those with income needs, but also with senior citizens, who have a right to have access to affordable housing. That is a zoning issue. Really, the province fundamentally trusts municipalities to make responsible decisions.

It's interesting that in the debate tonight a major part of the commentary has come from a former councillor in Hamilton and a former mayor in Flamborough. I can tell

you, I served as a trustee on a school board and they did a terrible job being accountable for the incredible amounts of money we had responsibility for. We are transferring responsibility so that it's accountable to the taxpayers municipally. On social housing, given that the federal government bailed out of it years ago, we're going to ensure that municipalities make those responsible decisions.

Mr McMeekin: I'll be brief. I just want to say to the member for Hamilton West that I think he's absolutely right when he talks about trust. I think Maslow's first stage is trust versus mistrust, that infancy stage where young ones struggle with whether they can let go of their parent's hand. I can say that I can't think of anybody out there with any credibility—AMO doesn't support this. The Who Does What experts didn't support it. I would challenge the members opposite to name a municipality that supports this anywhere in Ontario. I don't know of one.

I think the real fear here is—and let's call it what it is—if social housing is to be a real responsibility, if we're collectively and cumulatively as a society to take our responsibility seriously to provide the most basic right—I'm not sure if members opposite actually believe it's a right, but if for a moment we were to travel down that road—if something is a right, then by definition a right is something that can't be denied to anybody. So in order to meet our responsibility, to respond responsibly, we need again to find creative entrepreneurial ways of partnering: partnering with our federal colleagues, who aren't blameless on this, and with our municipal colleagues, and with the private sector out there, which is screaming to get involved in helping meet this horrendous need but can only do it if they can partner with people. That's all we're calling on this government to do. Don't create a patchwork quilt; partner with us.

The Acting Speaker: Response?

Mr Maves: I want to thank all the members opposite for their responses to both my speech and that of the member from Brampton. The member for Hamilton West always makes me the most nervous when he starts off by complimenting me, but I want to thank him for his comments, as well as the Minister of Tourism, who was just in my riding yesterday to announce a \$14-million redevelopment of Roberts Street, which is the gateway to Ontario coming across the Rainbow Bridge and actually coming into Niagara Falls from municipal road 20. He's done a great job for me and for my residents down there and I want to thank him for that and for his comments tonight.

The members opposite say, "Name me a municipality that supports this." Name me a municipality that didn't support and doesn't support removing education from the property tax. Every single mayor all across this province screamed every taxation year. If they didn't do a tax increase at the municipal level but all of a sudden the school board did yet another tax increase, who would get blamed? It was the mayors, time and time again, because people didn't make the connection that it was actually the

school board that raised their taxes. They just said, "It's got to be the mayor's fault because it's coming on my property tax." Everyone in this province agreed, "We've got to do something about education being on the property tax."

Once we take education off the property tax and we start paying for it at the provincial level, we have all of this property tax now that's being collected and left at the municipal level. What do we do with it? We transfer some of the services that we've been delivering down to

that municipal level, because that way they can use those dollars that used to be there for education services. If we didn't transfer any of these services down there, there would be a huge windfall. Would it get returned to the taxpayer? I doubt it. So it's a transfer of services and a transfer of revenues.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2129.

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**Assemblée législative
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Wednesday 18 October 2000

Mercredi 18 octobre 2000

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 octobre 2000

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ONTARIO WHOLE FARM RELIEF

Mr Pat Hoy (Chatham-Kent Essex): I rise to direct my deep concerns to the Premier about the complete mismanagement of the Ontario whole farm relief program. The inequities of this program resulted in a meeting held by the Ontario Federation of Agriculture recently. Presenters pointed out that there were two different sets of numbers for fair market value on farm products for the 1995-97 crop years. This adds major technical error to a program farmers already criticize as arbitrary and subject to interpretation. The program is in chaos. Farmers are facing their worst crisis since the Depression. They need the help that OMAFRA should deliver.

Premier, you must step in and fix the problems. You received today a letter from Anne Meighan, a farmer who explains the financial disaster this program has brought on her and other Ontario farmers. She has told you that a legal class action may be necessary to solve the problem. Farmers don't need legal battles with your government, they need help.

In January of this year, when Anne was facing bankruptcy, I sought help directly from an ADM at OMAFRA. He intervened with staff and they helped the farmer. Now, the same staff say an error was made and Anne owes \$23,000. What a nightmare.

There is no confidence in this program, Premier. You must get to the bottom of this comedy of errors. You must ensure that the Ontario whole farm relief implements a program that is clear and concise, delivered honestly and without malice to all of Ontario's farmers.

BRAMPTON FIREFIGHTERS

Mr Joseph Spina (Brampton Centre): Recently the Brampton firefighters' combat challenge team has captured its fifth national title and set a new Canadian record. They recently beat a team from Surrey, British Columbia, with a new record of four minutes and 31 seconds, which entitles Brampton to attend the world championships in Las Vegas this November.

The combat challenge consists of an obstacle course where firefighters, wearing full gear and breathing apparatus, run up and down five storeys of stairs carrying 45 pounds of hose, pull up a 42-pound hose, run through obstructions and spray a target using a fully charged hose. The winning team is selected from the three fastest times. In addition to the team setting a new Canadian record, Doug Comeau, the team's coach, was proud to say that several members of the team also accomplished personal bests in different categories.

I wish the Brampton firefighters' combat challenge team the best of luck. I know that colleagues from the Legislature will also wish them well representing not just Brampton but also Ontario and Canada at the world championships in November, when hopefully they will bring home another consecutive world title.

ENVIRONMENTAL PROTECTION

Mr James J. Bradley (St Catharines): I and so many people in Ontario, all of us, were extremely embarrassed by events that happened in Quebec City this week, where Ontario refused to sign on to a national plan to deal with air emissions, air pollution in this province, with climate change problems that are a challenge for all of us.

Headlines read, "Ontario May Doom Climate Change Deal; Other Governments Furious Over Province's Refusal to Sign Greenhouse Gas Accord;" "Ontario Won't Join National Clean Air Plan." There are quotes from virtually every environmentalist who was there, every objective observer, that Ontario is dragging its feet in this regard.

Today, the environmentalists were welcoming Mr Wilson, the Minister of Energy, and Mr Newman, the Minister of the Environment, back. They said the following:

"The OntAIRio campaign and the Toronto Environmental Alliance delivered 'welcome back to earth' gift baskets to Ontario Minister of the Environment Dan Newman and Ontario Minister of Energy. Newman and Wilson are just back from the federal-provincial talks on climate change in Quebec City. At those talks Ontario was the only province not to sign on to a plan to reduce Canada's emissions."

I have a basket I'll be sending over to the Minister of the Environment. It contains a thermometer, which tells us about the earth that is heating up; coal, which reminds us of the coal-fired plants of Ontario Hydro; a polar bear,

who is affected by pollution; and a rattle for those who can't play the game with others, who act like children.

It's unfortunate that this has to happen in this province. We used to show so much leadership in Ontario. We used to lead nationally and internationally, and now we have a circumstance where our province is dragging its feet and causing great embarrassment, not only across this country but internationally. I'll ask the page to send this basket across to the minister.

The Speaker (Hon Gary Carr): Order. I'm afraid it is a prop, so I'll ask the page to take it down to the Sergeant at Arms, if he could.

Interjection.

The Speaker: The Sergeant at Arms knows what to do with props. I'm sure he has quite a collection.

EDUCATION ISSUES

Mr R. Gary Stewart (Peterborough): We all know that communication is a two-way street. Important issues need to be discussed by all stakeholders. Regrettably, this doesn't always happen.

Last week, I was extremely pleased to be invited to a school in my riding of Peterborough for dialogue between myself, representing our provincial government, and a panel of students representing students from several other Peterborough schools from both boards. Some 150 students attended that discussion. Students have told me that they are very frustrated and very much ill-informed. We had open dialogue where students asked me questions on education matters that were concerning them, and I provided them with factual information.

I commend Geoff Fucile, a public school student trustee, who organized the forum. I'm very proud of Geoff and the students who took part for their efforts to ask well-thought-out questions that represented their concerns and those of their fellow students.

I would encourage the members of this House to take opportunities, such as this one offered to me, to help our young people to understand the changes being made to our education system in Ontario, changes being made that will ensure they are able to compete in a world market for their future employment choices.

Also, yesterday I spoke at the Greater Peterborough Chamber of Commerce. I'd like to introduce the president, Mr Peter McLean, Greater Peterborough Chamber of Commerce. Welcome, Peter.

ERNEST C. DRURY SCHOOL FOR THE DEAF

Mr Ernie Parsons (Prince Edward-Hastings): My statement is to the Minister of Education. You're trying to sell the playing fields and park portion of E. C. Drury school for the deaf in Milton to a corporate land developer. This inside deal was made with no prior consultation with either the deaf or surrounding communities. Indeed, negotiations for sale were secretly underway long before

the property was even declared surplus. This deal stinks so bad the police are now conducting an investigation.

The Milton town council, the Ontario Association for the Deaf and the neighbourhood surrounding the school all oppose this apparent scam. In fact, they are fighting this deal before the Ontario Municipal Board right now. The community wants this deal stopped. This land is a treasured jewel for our deaf population. It serves as the only available location for provincial games for the deaf and as a site for deaf athletes to train from Belleville, London and in fact all across this province.

The deaf have a unique history, language and culture from which we all greatly benefit. It must be protected and it must be strengthened. Minister, you have the opportunity to stand up for the deaf in this province and say this government can't be bought. This government must put the needs of our deaf citizens ahead of corporate interests. Do the right thing now and stop this sale.

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ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Toronto-Danforth): Environmentalists welcomed Dan Newman and Mr Wilson back to earth today after having spent some time in Quebec City. Did you know that Ontario is the only province to not sign on? Even Alberta, for heaven's sake, signed on and is taking positive measures to deal with climate change.

The environmentalists presented us—Mr Bradley, the Liberal critic, and I—with two baskets today to deliver to the ministers who were in Quebec. In that basket to welcome them back to earth we have a rattle. The rattle is for the ministers to help with the temper tantrums they throw when other governments actually take action. We have some coal to remind the ministers of their commitment to convert coal into gas at our energy plants. We have a polar bear to remind the minister of the dramatic effects that global warming is having on our natural environment. And we have a book. Many of you have heard of this book, *Brave New World*, the place where the big lie theory of government originated.

All of these things are in the basket which I am to present to the ministers today. I know we're not allowed to have props in this House, but I'll give you a demonstration of what's in the basket today. We have a rattle to help with their tantrums; we have dirty coal.

This is a disgrace.

The Speaker (Hon Gary Carr): I thank the member, and hopefully she'll turn the rattles over to the Sergeant at Arms so they could be put to some good use.

PAROLE SYSTEM

Mr Garfield Dunlop (Simcoe North): It's nice to have the member for Thornhill sitting beside me today.

Recently, Canadians learned that former Saskatchewan cabinet minister Colin Thatcher, a man who was convicted of murdering his ex-wife, applied to use the

faint hope clause of the Criminal Code to gain early parole. Mr Thatcher was convicted of murder and was sentenced to 25 years in prison without possibility of parole. He has served 16 years of that sentence. Now he is using section 745.6 of the Criminal Code to request permission to ask for early parole.

My concern is not with Mr Thatcher specifically but with the criminal law. The federal government has heard from the same victims of crime who have called out asking for justice. Throughout the life of the Chrétien government, victims of crime and their advocates have called for repeal of the faint hope clause.

The Mike Harris team has called on the federal government to follow our lead and introduce truth in sentencing and to get rid of the federal discount policy that allows serious criminal offenders out of prisons after having served only two thirds of their sentence.

In Ontario, we are fighting to make our roads, homes and our communities safer. It's about time the federal government in Ottawa started doing something to fight crime too. They could start by repealing the faint hope clause.

FEDERAL ECONOMIC POLICY

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, you will no doubt appreciate how surprised we on this side of the House were yesterday when we read that Ernie Eves has finally endorsed the budgetary policies of Paul Martin. Mr Eves was quoted as saying, in reference to this afternoon's budget statement, "I think it's a good thing for Canada. I think all of these moves are good for the Canadian economy." How ironic. For years we've heard nothing but criticism from those—

Interjections.

The Speaker (Hon Gary Carr): Will the member take his seat. Stop the clock. Order.

Interjections.

The Speaker: Order. I can see it's going to be a good day. Since the member was interrupted, we will give him extra time. He may begin over if he'd like.

Mr Duncan: How ironic. For years now we've heard nothing but complaints. You know, it's not the first time Mr Eves has rejected the Alliance. In February of this year, in committee, he said when he was rejecting the cornerstone of the Alliance budgetary policy, the flat tax, "It's not a brand new idea.... It's not a very progressive way of taxing people.... Those people who make more in society should pay more in terms of a higher tax rate."

We can only hope that Mr Eves will take more cues from Paul Martin. Tonight, he might want to attend the big Alliance fundraiser in Toronto.

Interjections.

The Speaker: Will the member take his seat. Stop the clock. Order. The member for Brampton Centre, come to order, please. Sorry for the interruption again.

Mr Alvin Curling (Scarborough-Rouge River): On a point of order, Mr Speaker: Could you ask them just to do the 90 seconds again?

The Speaker: He's almost done. But I would ask all members, in question period we can't have that. In members' statements it's usually a situation where we do let all members proceed. The member for Windsor-St Clair, sorry for the interruption.

Mr Duncan: I would encourage Mr Eves to attend tonight's big Alliance fundraiser here in Toronto, to take one more stab at making them see the light of budgetary policy. I should say, at \$25,000 a table, that fundraiser bears a closer resemblance to a New Orleans bordello than it does to a political fundraiser. A bunch of really rich guys, their pockets stuffed with money, the aroma of cheap perfume—the perfume of the flat tax being worn by the ladies of the right; and the belle of the ball, of course, at this great extravaganza: Stockwell Day. All of this being closely scrutinized, encouraged and helped along by the noble madams of Canada's new right, Harris and his Alliance henchmen in Ontario.

TOM WELLS

Mr David Young (Willowdale): Today, I rise in this House to mourn the passing of Tom Wells, a man of integrity, a man of class, a man who, as some have noted in this Legislature, was very much the hub of Progressive Conservative rule in this province for 22 years.

Over the last number of years, Tom resided in the riding of Willowdale, which I have the privilege to represent. I came to know Tom in recent years as a member of the local riding association. I benefited from the insight he shared with me, insight that he gained from decades of public service, service as a school trustee, as a senior cabinet minister and as a tireless community activist, both in and outside of politics.

For me, Tom embodied what most current and fledgling politicians should aspire to in politics: he was a man of conviction; he was a man of dignity; he was a man of his word. Tom proved very clearly that in politics, nice guys not only can finish first, they often are unbeatable.

I offer the condolences of myself, my family and those of my community of Willowdale to Tom's wife, Audrey; his son, Andrew; his daughters, Brenda and Beverley, as well as his two grandchildren.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On Thursday, October 5, 2000, the member for Windsor-St Clair rose on a point of privilege to indicate that his staff was experiencing problems with the Family Responsibility Office of the Ministry of the Attorney General about matters pertaining to the office dealing with a constituent's concern. In particular, the member indicated that when staff from that office informed his staff that it would not be assisting them because of their high case load, he was precluded from discharging his functions as an MPP. The government House leader also made a submission.

When reserving the ruling last week, I indicated I would be explaining what "parliamentary privilege"

means, so let me begin by doing that and referring to standing order 21(a), which states: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

As the standing order suggests, there are two overriding categories of privilege. The first category consists of privileges that are enjoyed by the House collectively: the power to discipline, the regulation of its own internal affairs, the authority to maintain the attendance and service of its members and the right to institute inquiries and to call witnesses and demand papers, the right to administer oaths to witnesses and the right to publish papers containing defamatory material. The second category consists of privileges that are enjoyed by individual members: freedom of speech, freedom from arrest and civil action, exemption from jury duty and exemption from attendance as a witness. These collective and individual privileges are examined in considerable detail on pages 71 to 107 of the House of Commons Procedure and Practice.

The authoritative Canadian text on parliamentary practices and procedures also makes clear that members are protected in respect of their parliamentary duties, as opposed to their constituency duties. On pages 90 and 91 it states the following with respect to the rulings of various speakers:

"On July 15, 1980, in finding that there was no prima facie case of privilege in relation to a member's constituency work, Speaker Sauvé stated: 'While I am only too aware of the multiple responsibilities, duties, and also the work the member has to do relating to his constituency, as Speaker I am required to consider only those matters which affect the member's parliamentary work. That is to say, whatever duty a member has to his constituents, before a valid question of privilege arises in respect of any alleged interference, such interference must relate to the member's parliamentary duties. In other words, just as a member is protected from anything he does while taking part in a proceeding in Parliament, so too must an interference relate to the member's role in the context of parliamentary work.'"

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At pages 92 and 93, the same text states as follows in reference to a 1978 ruling by Speaker Jerome:

"Speaker Jerome stated, 'Since the member was not in the circumstances acting in the official capacities which are surrounded by privilege—that very narrow category—it would, I think, be [an] unwarranted extension of the precedents to extend privilege with respect to an act which was directed to her person in the circumstances'. In ruling, the Speaker noted that society demands much of members but not all demands strictly impose a parliamentary duty. Every member has duties as a representative of the electorate. A member may only claim the protection of privilege relating to his or her parliamentary duties, "particularly in his primary duty or service to this

House of Commons here," though the line distinguishing these duties might blur."

Turning to our own House, a Speaker's ruling (at page 74 of the Journals for May 4, 1982) dealt with concerns generally similar to those raised by the member for Windsor-St Clair. That ruling indicates as follows:

"The only standing orders that deal with members obtaining information from the ministry are those dealing with oral and written questions and notices of motion for returns. I know that members do very often telephone directly to a ministry asking for certain information, but unless it can be established that the members have a special right or privilege to use this procedure, which the general public does not have, then it does not concern the House and is not privilege.... It is rather ... a matter between the member and the ministry."

I realize that the member for Windsor-St Clair, like other members, takes his constituency responsibilities seriously. However, the authorities are quite clear that parliamentary privilege does not protect everything a member does. It protects members in the exercise of their parliamentary duties proper, that is to say, with respect to this House and its committees. It does not protect members, like the member in this case at hand, who are engaged in constituency business or other activities that are collateral to their strictly parliamentary responsibilities.

For these reasons, I find that a prima facie case of privilege has not been established.

I thank the member for Windsor-St Clair for raising his point because it afforded me an opportunity to explain the important features about parliamentary privilege to all members.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Garfield Dunlop (Simcoe North): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption:

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill without amendment:

Bill Pr17, An Act to change the name of The Corporation of the Township of West Perth to The Corporation of the Municipality of West Perth.

Your committee begs to report the following bill as amended:

Bill Pr2, An Act respecting the City of Toronto.

Your committee recommends that Bill Pr9, An Act respecting the city of Toronto, Bill Pr11, An Act respecting the City of Toronto, and Bill Pr12, An Act respecting the City of Toronto, be not reported.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

HIGHWAY TRAFFIC AMENDMENT ACT (IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT LE CODE DE LA ROUTE (DISPOSITIFS DE VERROUILLAGE DU SYSTÈME DE DÉMARRAGE)

Mr Dunlop moved first reading of the following bill:

Bill 131, An Act to amend the Highway Traffic Act to establish an ignition interlock device program / Loi modifiant le Code de la route afin d'établir un programme d'utilisation de dispositifs de verrouillage du système de démarrage.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Garfield Dunlop (Simcoe North): Mr Speaker, this is an amendment to my previous bill. It amends the Highway Traffic Act to provide for the implementation of an ignition interlock program in Ontario for persons who violate laws related to drinking and driving.

The Speaker: Motions?

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Minister of Health. Something extraordinary happened yesterday at the estimates committee hearings when you were asked about the fact that this 140-page document, prepared over a great length of time by your own staff, confirms something we've been talking about for quite some time, and that is the fact that you are now spending less in health than you have in the past. In fact, this document, your document, tells us that you're spending \$1.5 billion less in the 1999-2000 fiscal year than you did in the 1998-99 fiscal year.

For months, in fact years, you've been standing up there in your place and telling us that these problems we are experiencing, terrible problems on the front lines, are in no way due to the fact of cuts that are found within your ministry. Your document itself tells us you're spending \$1.5 billion less. Will you now confirm for us that this is the case?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): First of all, let me indicate I was most displeased with the information that was provided in this year's tabled estimates. As I indicated yesterday, the ministry is currently reviewing this issue. I can assure you, at a first review, that it appears to be limited to an administrative error that does not impact on the estimates information voted on before the committee.

Mr McGuinty: You tell us you're spending \$1 billion more; this document tells us you're spending \$1.5 billion less. This administrative error that you refer to is \$2.5 billion worth of mistakes. That's what we're talking about here. This is your document. It says "Ministry of Health and Long-Term Care, Estimates Briefing Book 2000-01, Elizabeth Witmer, Minister." You're telling us that we can't rely on your information as found within this document.

There's something else that we picked up recently. Maybe you can speak to that. You've been telling us that you're spending more in Ontario hospitals, particularly GTA hospitals. Here's a confidential Ministry of Health document recently filed at the Joshua Fleuelling inquest. Do you know what it tells us? You are spending \$88 million less this year on GTA hospitals than you spent last year. But you, on the other hand, stand up and tell us that you're spending more.

Can you tell me, in this particular instance, whom we should believe? Should we believe your ministry documents or should we believe you?

Hon Mrs Witmer: I think this is another example of fearmongering. There's only one government in Canada that has decreased the amount of funding available for health services in the province of Ontario and throughout all of Canada. The only government that has taken away money from provinces and territories is the federal government.

In fact, I am very disappointed to tell you that they made announcements recently indicating that there had been an agreement reached between the provinces and territories. I am disappointed to tell the House here today that the bill that would have provided additional money for medical equipment has not yet been passed by the federal government. If an election were to be called on Sunday, it now appears we would not be getting that money and we would still only be funded 10 cents on every dollar.

Mr McGuinty: I can see why the minister wants to talk about anything other than the fact that her own ministry information is telling us that—first of all, in your estimates briefing book it's telling us that you in fact spent \$1.5 billion less this year than in the year before. When we look at your confidential document filed at the Joshua Fleuelling inquest, it tells us that you are spending \$88 million less in GTA hospitals than you were prepared to admit in this House. Maybe the real proof, Minister, can be found on the front lines of Ontario patient care, and maybe you won't deny this. Listen to this: in Peterborough, 16 surgeries have been cancelled in just over one month; a few weeks ago at the

Ottawa Hospital they cancelled 18 operations, including an operation for a woman who had been waiting for five days to have her broken forearm set; earlier this week, more and more surgeries have been cancelled in Hamilton.

1400

This is the real, live evidence backing up the fact that you have, in fact, been making cuts to your ministry. Why don't you, for the first time ever, be honest when it comes to this issue and admit to the fact that you've been making cuts to your ministry?

Hon Mrs Witmer: The Leader of the Opposition obviously doesn't understand that each year since 1995 we have been increasing funding at the Ministry of Health. The only government which doesn't and hasn't increased funding is the federal government. We are, as he knows, providing additional money for hospitals. We are presently at—

Interjections.

The Speaker (Hon Gary Carr): Minister, take your seat. There's too much of a roar. We can't hear. If we do that, we're not going to have a question period. We'll just sit here and watch the clock tick down. Minister of Health.

Hon Mrs Witmer: We have increased the funding. We have been working with our hospital stakeholders. In fact, if the Leader of the Opposition wanted to be absolutely correct, he would reflect the fact that the CEOs throughout the province of Ontario, people in the emergency rooms, are indicating that there are improvements, that our government for the first time has acknowledged that there are problems, problems that are 15 and 20 years old, but we have had the courage to address them. We are working forward with a comprehensive—

The Speaker: I'm afraid the minister's time is up.

ENVIRONMENTAL PROTECTION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of the Environment. Minister, just when we thought it would be impossible to further disappoint the people of this province, when we thought it would be further impossible for you to renounce your responsibilities to fight against polluters and for clean air, you sank to a new low yesterday when you represented the only province that walked out of a deal that is about to be inked by nine other provinces, together with the federal government, which is going to go a long way toward protecting the quality of our air in our province. You made it perfectly clear yesterday that in a fight against polluters you have chosen to stand with the polluters and against clean air and against the interests of Ontarians.

Tell us right now, Minister, why is it that you found it impossible to sign on to a deal which is obviously in the interests of Ontarians?

Hon Dan Newman (Minister of the Environment): On this issue, the Leader of the Opposition has it all

wrong yet again. I say to him that all Ontarians deserve clean air, and climate change is indeed a global problem.

Interjections.

The Speaker (Hon Gary Carr): Minister, take a seat. We'll just wait.

Interjections.

The Speaker: Now I'm going to give a warning to the member for Hamilton East. Come to order, please.

Hon Mr Newman: The member for Hamilton East is right, the federal government was wrong, because they didn't want to bring forward national standards. That's what we were fighting for, for national standards. We wanted to also see some international leadership shown by the federal government. But just like the Canada-US ozone agreement, they dropped the ball on this one; they sold Canada out. In fact, in Quebec City at the joint ministers' meeting, Minister Wilson and myself were there demanding that the federal government show some international leadership and establish tough national standards for climate change. They failed Ontarians, and I believe they failed all Canadians.

When we went to that conference, we issued four challenges to other provinces and to the federal government, which are based on programs we already have in place here in Ontario. We asked that there be a vehicle emissions program in place in all provinces and jurisdictions in Canada, just like we have in Ontario. We asked all the provinces to match the Ontario—

The Speaker: I'm afraid the minister's allotted time is up.

Mr McGuinty: I'm sure you heard some of the comments made by people who have devoted their lives to cleaning up Ontario air. This is what John Bennett of the Sierra Club said: "Your plan is weak. You're not a leader. You are standing up here and you are lying.... You've cut back on every program that existed when you came into office."

The Speaker: Order. You can't use that language in here quoting something. You can't do something that you can't do. I would ask all members to watch their language. What happens then is the other side just yells back. I know he's quoting from somebody else, but using language like that is not helpful. I would ask the honourable leader of the official opposition to be careful using that. All it does is inflame things and all we'll end up doing is yelling back and forth when that happens.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: My understanding is that Speaker Warner allowed a similar quote into debate about five years ago in this House, and I would ask you to check that.

The Speaker: I will check that, but I'm not going to allow it. What we can't do is have situations—

Interjection.

The Speaker: Thank you very much to the Minister of Labour. I appreciate his help. If you would stay out of it that would be very helpful. It doesn't help when you yell across the floor while I'm standing up. I appreciate it.

The leader of the official opposition.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: May I ask why he doesn't have to withdraw the statement?

The Speaker: I've warned him, and I thank the Minister of Labour very much. I've warned him about it. He is quoting from somebody else. I say to both sides, that's what happens when we get into situations like this. I know you're quoting somebody else, but if you do that, all we're going to end up doing is yelling back and forth. I thank the Minister of Labour for his comments, but I'll handle it.

The leader of the third party.

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: I've just watched two minutes of question period time go down the drain while we're engaged in something you've already ruled on.

The Speaker: Thank you very much. I appreciate that. I will say to the member that we have got more questions, and as you know, it's our intention to get down there. I will say to the leader of the third party that on some occasions we don't get down there. There were two occasions: on one occasion last week where your member from Timmins-James Bay did a point of order, and also on one occasion your member for Toronto-Danforth got named. So there will be some days when we will get down there; there will be other days when we do not get down to that type of question. This is probably one of the days when we won't get down.

Leader of the official opposition for a supplementary.

Mr McGuinty: To continue with the Sierra Club's quote, "You've cut back on every program that existed when you came into office."

This is what the David Suzuki Foundation had to say: "It's ludicrous. Ontario is lagging behind damn near every jurisdiction in North America when it comes to greenhouse gases. They simply don't know what they're talking about."

They are confirming what we have said over and over again. There are 1,900 Ontarians who are dying prematurely every year as a result of breathing bad air. We've had a 400-fold increase in childhood asthma rates here in Ontario. We are the second-worst polluter in North America. All of this has happened on your watch. I ask you again: why are you refusing to ink a deal that is in the interest of Ontarians?

Hon Mr Newman: Yesterday's agreement failed to set out national standards for all Canadians. It didn't meet our demands of offering Canadians an effective, environmentally useful way to address the issue of climate change. They asked us to bring our ideas to the table. That was the challenge in Vancouver in March of this year. We did. Our approach, if nationally adopted—

Interjections.

The Speaker: The member take his seat. If you want to yell, there won't be any questions. If you want me to stand here for the entire hour, I'm in good enough shape, I can stand here for 45 minutes. There will be no question period in the province of Ontario.

The childishness of yelling like that because of rulings isn't going to work with me. If you think I'm going to back down, I'm not. The time can continue to run down. We're going to have some semblance of order so I can hear the answer, or there will be no question in the province. It's as simple as that.

Minister of the Environment.

Hon Mr Newman: Yesterday's agreement failed to set national standards and it didn't meet our demands—

Interjections.

The Speaker: The member take his seat. That's the last warning to the member for Niagara Centre. We're not going to have a situation where, when I've sat down, you immediately yell out. This is his last warning. If he wants to do it again, we'll name him and he can spend the afternoon in his office.

Minister of the Environment.

Hon Mr Newman: Yesterday's agreement failed to set out national standards. It didn't meet our demands of offering Canadians an effective, environmentally useful way to address climate change. We were asked to bring ideas to the table, and we did. Quite frankly, our ideas and our approach, if nationally adopted, would bring us clearly a third of the way to our Kyoto target. The agreement will be used to put Canada's position forward at the Conference of Parties at the Hague in November—

The Speaker: I'm afraid the member's time is up. Final supplementary.

1410

Mr McGuinty: What you did yesterday was a pathetic abdication of your responsibility not only to the people of this province but to this country. We are now North America's second worst polluter. We not only owe it to Ontarians but we owe it to our neighbours in other provinces right across this country and to our American cousins to clean up our own act.

There's only one person who can crack down on polluters in Ontario. That's you. That's your job. That's your responsibility. You are failing to live up to that responsibility, and the people of this province are continuing to pay the price. They're getting sick. Our health care costs are going up as a result.

The Speaker: The question has been asked. Minister of the Environment.

Hon Mr Newman: The federal government struck out on three fronts in the past week. They failed to deliver in last week's smog talks with the United States. We clearly gave the federal government a 44% reduction to bring to the table, and they couldn't even get a similar reduction out of the United States. All they could get was 36% from the United States, and somehow they're championing this as some sort of victory. They sold all Canadians out. That's the first strike against the federal government.

Strike two is that they failed—

Interjections.

The Speaker: Order. Minister, take a seat. This is the last warning for the member for Timmins-James Bay as well. If he continues to shout out, he'll be named. If you want to go through the entire list, I'll continue to do it.

We're not going to have a situation where one rotates and somebody else yells. If I can't hear, you're going to be named; you spend the afternoon in the office. It doesn't matter to me.

Minister of the Environment.

Hon Mr Newman: As I was mentioning how the federal government struck out at the ozone annex talks, they also failed, strike two, to deliver again when they—

Ms Frances Lankin (Beaches-East York): How does Canada go to the environmental table?

The Speaker: Member, take a seat. Last warning for the member for Beaches-East York as well. The last warning for the members for Timmins-James Bay, Niagara Centre and Beaches-East York. We're not even going to get to your leader's first question the way we're going.

Minister of the Environment.

Hon Mr Newman: The federal government struck out at the ozone annex negotiations. That was strike one. They struck out again yesterday at the joint ministers'—

Interjections.

The Speaker: This is the last warning to the entire caucus of the NDP. If anybody shouts out again, you're going to be removed. We're not going to rotate with people. When I go home at night, I wonder why my legs are tired, and now I know, from getting up and down so much. I've never been in as good shape. But we're not going to continue. This is the last warning for the entire caucus. If you continue to shout out like that, I'm going to name you.

I believe it is the Minister of the Environment wrapping up.

Ms Marilyn Churley (Toronto-Danforth): On a point of order, Mr Speaker: I realize that you are cautioning the whole caucus here, but I want to make it clear that I, as an individual member, have not been shouting here and I—

The Speaker: I understand that. I appreciate that. The member is right, although I could add it's one of the few days that she doesn't yell, if I wanted to.

The situation is this: when I've warned a couple of members and the same caucus rotates and somebody else yells out, we can't have that. It is a little bit funny, I guess, to do that, but we can't have people rotating shouting. If you're going to do that, then it doesn't matter, we just won't have any questions or I'll name you, one or the other.

Mr Hampton: On a point of order, Mr Speaker: It seems to me that you cannot judge one member's decorum based on someone else's behaviour. It seems to me that is an infringement—

The Speaker: You know what I say to the leader of the third party? I don't even need to give the warnings. I could have had three of your members already thrown out. If you'd rather have that, where there's no warning and members get thrown out, we can do that.

What I want to do is make it clear to everybody that when you get down to your last warning, and I say this with all due respect, most members are very good when

we do get down to the last warning. In fact, some members, so they don't yell out, will actually leave the chamber. I do that because I want to be very careful that members know very clearly that they are at their last warning. By the same token, I'm not going to have a situation where I warn one or two members and other members of the caucus then begin shouting out. We're not going to have that type of circus in here, and if you do that, we're going to name you. I have done that in the past with the Liberal Party when they've done it. I'm doing it to the NDP on this occasion. If you shout out, yell and interrupt and I have to stand up again, you will be named and there will be no warning.

Ms Lankin: On a point of order, Mr Speaker: I understand the letter of your ruling. I don't understand the impact of your ruling. Are you suggesting that if another member of the New Democratic Party at this point in time calls out, you will eject the entire caucus, including the member from Riverdale?

The Speaker: No, the member who shouts out will be. Let me say this: the members of the NDP caucus have been very good about being well behaved and getting down to the question. It appears we're not going to get to that question.

Mr Hampton: Why bother?

The Speaker: That's the same. The leader of the third party says, "Why bother?" We have got to those questions more times than any other Parliament. The way it's going now, with 40 minutes we're not even going to get the leaders' questions.

I'll say it again: it doesn't matter to me if we get one question or 15 questions. The one thing I will say to all members is that we will maintain order in here, and if anybody wants to challenge me on that, go ahead. You've seen in the past that I'm not prepared to back down, and I'm not prepared to back down in this case. One of two things will happen. Either we will spend the entire afternoon watching me stand here and have no questions in Ontario or I will name as many members as it takes, but we are not going to have a situation where you fly in the face of my ruling and immediately upon sitting down, when I ask for order, you yell out. If you want to do that, you can yell all you want. You'll do it in your office in front of your own TV.

Ten seconds to wrap up for the Minister of the Environment.

Mr Tony Martin (Sault Ste Marie): On a point of order, Mr Speaker: I've not been engaging in the back and forth here this afternoon. I feel my personal privileges are now under attack by yourself—

The Speaker: I appreciate the opportunity.

Interjection.

The Speaker: Member take his seat.

Interjection.

The Speaker: Member take his seat, please.

Interjections.

The Speaker: Member take his seat, please. This is the third time I've asked the member to take his seat. If

he doesn't take his seat, he'll be named. Thank you very much.

We've got about 10 seconds to wrap up for the Minister of the Environment and then I believe we're down to the leader of—

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: You would know that the minister of the environment met in Quebec City, and I would ask for unanimous consent that the Minister of the Environment be named as the dolt of the ministers of the environment—

The Speaker: Order. Unanimous consent? I heard a no. Ten seconds, the Minister of the Environment.

Hon Mr Newman: The point I was trying to make 15 minutes ago was that the federal government struck out three times. They struck out on the ozone annex with the United States. They struck out at the joint ministers' meeting by failing to have national standards, and they failed again with the COP6 coming up by failing to show international leadership.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Very quickly, last week the Liberal House leader rose on a point of order. I listened carefully to it, I made some comments in response to that point of order and I listened carefully to your response. That was with respect to this concept of collective naming, which the Liberal House leader maintained is not permitted by virtue of the standing orders.

I indicated at the time that I myself accepted the right of the Speaker to admonish a caucus. I understand that and I accept that the Speaker has admonished this caucus. I also understand that there's a difference between admonishing—and I put this to you, Speaker, on this point of order—and naming, and that naming is a prerequisite before ousting.

I understand that I have been warned. I risk being named, which means I'll be escorted out of here should I engage in anything that the Speaker finds, according to the rules, to be inappropriate. But with respect, Speaker, knowing full well that you have the right to admonish a caucus, I submit to you that the rules of the standing orders very specifically require you to identify a given member as the House leader for the Liberal Party has indicated—

The Speaker: I've got the gist of the point of order, and I'll say it for the last time. There are provisions for group naming in the standing orders. Hopefully, we'll never have to get to that point, but there are. You can name two or three members at the same time. Hopefully, we'll never get to a situation of doing that.

Do you know how we can solve all this? If members would behave and not shout out when people are trying to answer the questions. It's as simple as that. You can ask points of order all you want, all afternoon and waste the entire time or we can get down—which I think the people of Ontario want—to asking some tough questions of the government of the day. It's entirely up to the members how they want to do it.

It's now time for the leader of the third party's first question.

Point of order?

1420

Mr Rosario Marchese (Trinity-Spadina): On a point of order, Mr Speaker: Given the argument that was just made, and having listened to your answer, it would be very helpful to me if you could just indicate where in the rules you are saying that the group naming applies. I'm not familiar with that. If you could just, through the assistance of the Clerk, help me out.

The Speaker: It's on page 398 of Parliamentary Practice, Erskine May. I will read it out to you: "Not more than one member may be named at a time unless several members present together have jointly disregarded the authority" of the Speaker. It's there in writing for every member to take a look at.

It is now time for the leader of the third party.

Mr Kormos: On a point of order, Mr Speaker: I understand Erskine May as well as other treatises or texts containing precedents from a number of Commonwealth jurisdictions. With respect, Speaker, our standing orders speak for themselves. I understand that if a precedent is clarified in Erskine May or in other authorities to help interpret our standing orders, that is to be applied by the Speaker by virtue of—what do lawyers call it?—stare decisis.

The Speaker: I thank the member—

Interjection.

The Speaker: We can stand here and debate Erskine May. As you know, it is standard practice to refer to Erskine May, which we've done in a number of rulings, and not only here; in the House of Commons and in every Parliament across Canada. That is standard practice. If the member wants to look it up, it's there in black and white. We can show him the one.

It is now time for the leader of the third party's first question, I believe.

Mr Hampton: My question is for the Premier. Today your government is a national embarrassment when it comes to the issue of global warming. At a time when the Ontario Medical Association tells us that 1,800 Ontario citizens die every year from the effects of smog, your government was the only government in the country to fail to sign on to a strategy to reduce the emission of gases that cause climate change. Even Alberta signed on; even Quebec, which hardly ever signs on, agreed to sign on; and Ontario is an embarrassment.

Premier, when are you and your government going to take the prevention of pollution seriously? What's it going to take?

Hon Michael D. Harris (Premier): I'm happy to take the first question. I will certainly refer the details to the minister who, in Quebec City, was the only minister to talk about a national plan with national standards. You're right that Alberta agreed to the plan. According to the article you're all quoting from, here's what Alberta agreed to: they're going to retrofit some schools to make

them more energy-efficient. Boy, I'm going to tell you that's leadership.

With all the coal-fired plants, 23 coal-fired plants across the country, we took a leadership role and said: "We're prepared to do better. But surely every plant in Canada has to do better. Surely we've got to take a national strategy. Surely you're not going to sign an international agreement that condones every state in the United States with more emissions per electron, with more overall emissions than Ontario."

Our plan, if we have to go it alone, will lead all of Canada, will lead all of the states that we're dealing with. It will be the only credible plan for smog reduction, for emission reduction that's available across Canada.

Mr Hampton: If the Premier is leading—

Interjections.

The Speaker: Member take his seat.

Mr Hampton: You've done it once. You should do it again. You should be naming the whole caucus. Next time they interrupt, out they go.

The Speaker: This is the leader of the third party's last warning. Last warning. Another outburst like that and I'll name him.

Interjections.

The Speaker: Fine by me. You've got the next question. If you want it, you can take it; if you want to be named, you can be named. It doesn't matter to me.

The leader of the third party.

Mr Hampton: Thank you, Speaker. Premier, if you're leading, then the whole world, according to your standards, is going backwards, because this is what you've done: you cancelled support for public transit in this province, which means more cars, which means more smog, which means more air pollution. You have allowed Ontario Power Generation to increase their greenhouse gases by 34% since you became the government, which means more smog, more pollution, more people die. You have repealed sections of the Planning Act, which allows for more urban sprawl, which means more cars, which means more air pollution, more people die. You cancelled the Home Green Up program doing retrofits to reduce energy use. At least Alberta is going to do something. You cancelled what was in place and then you cancelled the ban on new municipal incinerators, which means more air pollution, more people die. Premier, is that what you and your government call leadership?

Hon Mr Harris: The national plan, as presented by the federal Minister of the Environment, is one of the cruellest hoaxes and jokes that we have ever seen. The national plan says it's up to the provinces to do what we want. Some provinces say they're going to do more in transit. After billions of dollars, they will still be way behind Ontario in transit. We in fact, two years ago, committed \$2.5 billion a year in tax points to municipal transit and transportation efforts at the request of the municipalities. That is an ongoing commitment that is there.

If you think that Alberta, with seven coal-fired plants, all of them spewing far more emissions into the air than our coal-fired plants, at a time when we have lower electron emissions than Alberta does—we're prepared to go even lower. We're lower than all the US states on the borders there and we're prepared to go lower. The federal government wants to give them all—

The Speaker: The Premier's time is up. Final supplementary.

Ms Churley: The only leading that you are doing is leading thousands of people to their death in Ontario. That is the reality of your leadership and it is well documented. In fact, you have made things worse. It seems to me, from what I've heard, that your idea of a national program is to bring in vehicle emissions testing programs in rural PEI. Give us a break here. This is a joke. People are dying.

Premier, I say to you today, admit the truth that not only are you not only moving forward, you have cancelled programs that the NDP put in place and you are going backwards. Will you ask your Minister of the Environment to resign today and put somebody in there who will take the deaths of the people of Ontario seriously and do something about it once and for all?

Hon Mr Harris: No.

TRUCKING INDUSTRY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Economic Development. Two weeks ago, the Minister for Economic Development was telling truckers across Ontario that he was going to ensure that they were not stuck with bearing the costs of higher fuel prices. He even said that he was going to legislate, if necessary, to make sure they got a fair deal.

The minister's cynical game has been discovered. We now know that you have no intention of legislating. We now know that you, for all your brave talk, aren't going to do anything to stop the shippers and the corporations from sticking the truckers with the costs of higher fuel. You know what this means. It's going to mean blockades. It's going to mean disruptions. It's going to mean all kinds of difficult situations for people who are trying to earn a living.

Minister, why did you promise truckers that you were going to pass legislation to help them, to make sure they weren't stuck with the full cost of higher fuel prices, when you had absolutely no intention of ever introducing and passing legislation? Why did you engage in such a cynical game?

1430

Hon Al Palladini (Minister of Economic Development and Trade): If the honourable member from the third party thinks we're playing a game, I'm disappointed, just as I was disappointed that the independent trucker owner-operators turned down the proposal on a plan that was put together by the industry. Our government has always said that we need to come up with industry-led solutions, and our government has helped

facilitate those meetings, putting things in place so we could actually allow industry to do the right thing within their own group, in their own corps.

I am happy to say that the shippers and the carriers have come to the table with a proposed plan that can work. Now all we need is for the trucking industry, the owner-operators, to come prepared, at least with their leaders, and negotiate and talk about it in a democratic way rather than doing things in a disruptive way.

Mr Gilles Bisson (Timmins-James Bay): Minister, you entered into the debate clearly saying that you're going to help the truckers. That was the purpose of the discussion. They understood, you understand and we all understand that the issue is that the shippers don't want to pay more and they're not about to agree to something that's going to cost them more money in the end.

You said quite categorically that you were going to put fuel escalation clauses in the contracts and if the shippers didn't agree, you were going to legislate. There are truckers all across this province—in northern Ontario, in my home community of Timmins, in Ottawa, Toronto, Hamilton, Kenora—who are going to lose their rigs because you're playing politics.

You got into this for a photo op and now you're doing absolutely nothing to assist the truckers. Will you get out of the back pocket of the shippers and for once help the independent truckers?

Hon Mr Palladini: I have been acting as an emissary for the truckers, for the trucking industry, because I know the predicament they're in. I understand the difficulties they face. That's the reason I have been facilitating those meetings with the shippers and the carriers.

Legislation, as I said we would consider doing, is not the answer. Legislation in Ontario, a regulation, will—

Interjection.

The Speaker: The member for Timmins-James Bay, that's it. You can't shout out like that. You asked the question. I name him and ask Mr Bisson to leave for the remainder of the day.

Mr Bisson was escorted from the chamber.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I refer you to rules 15, 16, and rule 1 of the standing orders. I am not challenging the Chair. I understand what the Speaker has said.

Speaker, may I submit to you, especially in terms of what rule 1 says, that "in contingencies not provided for" you of course decide the matter, as you have, and you can of course rely upon "applicable usages and precedents of this Legislature and parliamentary tradition"—however, it also indicates that your rationale or your position must be based on "the democratic rights of members referred to in clause (b)," which is, to wit, these members.

I suspect, Speaker, that we all of us may be embarking on very dangerous turf in terms of having addressed this matter too promptly or at least in too rushed a manner. I know that I risk being named and ousted should I do anything inappropriate. I also fear, though, that by virtue of my conduct, I've put some of my colleagues at risk of

being named. I submit to you that that is in direct violation of paragraph (b) of standing order 1.

Speaker, I would put to you that we not address this matter today. I would ask you to defer making any hard and fast ruling—and I refer to standing order 16, of course, which says that in the case of mass or grave disorder you can shut the operation down. I submit to you that you defer any hard and fast decision until we get to debate this and discuss it in a more—

The Speaker: No, it is not a point of order. The decision has been made. We're going to maintain order in here. As for democratic rights, you do have democratic rights. The only thing you can't do is disrupt the duly elected Legislative Assembly of the province of Ontario, and if you do that, you'll be asked to leave. Sometimes that's yelling out where I can't hear. All we ask of all members is that they behave. I've said it before. There will be some shouting out. It will not be quiet in here. We're talking emotional issues, and so occasionally there will be some shouting out, but we're not going to have a situation where people just continually shout across. If there's a situation like that, members will be named and they will be removed. We are going to do one thing in the province of Ontario: we're going to maintain order in this House or members will be asked to leave. It's as simple as that. So I say to the member, we have discussed this. He can continue to get up on points of order. I am not going to change my mind; that's the way it's going to be.

New question, the leader of the official opposition.

Hon Mr Palladini: On a point of order, Mr Speaker: I believe that the member for Timmins-James Bay had asked me a question, and I thought I had some time left so I could give him the answer. I know he's not in the—

The Speaker: I think your time was just about up anyway. In all the wonderful commotion, I have missed the time, but I think we were pretty well up. My apologies to the Minister of Economic Development and Trade if I am wrong. During the commotion, you sometimes do lose track of the time.

It is now time for the leader of the official opposition's question.

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. This trucking crisis is looming larger with each passing day, and more and more Ontarians are coming to understand that trucks bring the parts for our cars, they bring the food for our kids and they even bring things like medical equipment for our hospitals. Of course, we're talking about a huge number of truckers, who have responsibilities to their families.

We have taken some assurance, some hope in the fact that you led us to believe if things continued to go awry, you would step in and fix them. In fact, your minister said, on September 22, "I do believe that the industry can police itself, but if they refuse to do that, then we will regulate." I'm just wondering, Premier, do you agree with your minister, who maintains that if this can't resolve itself, we will regulate?

Hon Michael D. Harris (Premier): The minister has involved himself and the government in two ways: first of all to take a leadership role and set an example. With all contracts that we have, we have insisted that where truckers are involved we will increase our payment to those contracts, and that must be flowed to the truckers involved. This is a very important precedent, and then of course we are asking the private sector which has contracts with truckers to do the same. The second area in which the minister has taken a role is to facilitate on behalf of the truckers, bringing them together and using his office to facilitate as best he can. He said he would look at all options, including regulatory options, and the overwhelming number of truckers and the trucking associations have said, "Minister, provincial regulation alone would be far worse than what you've already negotiated and have on the table." Accepting that advice, the minister has continued to try to mediate and improve—

The Speaker: The Premier's time is up.

Mr McGuinty: I guess this is becoming a bit of a pattern. It's another public humiliation of a minister. Last week, I asked the Attorney General and the Minister of Municipal Affairs if they might address a particular problem. They took a particular position. The following day you took a different position. Just a few weeks ago, this minister said that if matters couldn't resolve themselves, he was going to step in and regulate, he was going to pass a law here in Ontario. Now you're telling me, no, that is not in fact the case. Is this going to be an ongoing pattern now: a regular and public humiliation and embarrassment of your ministers, who say one thing one day only to be overruled on another day by you?

This minister said he would legislate. He said he would regulate. He said he would fix this problem and, in so doing, held out some hope for truckers and the people of this province. You are now pulling the rug out from under him. I'm just wondering, Premier, are you going to do this on an ongoing basis?

1440

Hon Mr Harris: This minister indicated he was prepared to look at all options. I can tell you already that with the offer we have made to all of our contracts that involve truckers and the negotiated agreements that are in place so far, the vast majority of the truckers, independent and otherwise under the associations, have said, "Minister, what you are doing and what is already on the table obviously is far better than any provincial-only regulation, given that 86% of the trucking industry in Ontario is regulated federally, given the international and national nature of trucking."

They have rejected this option that the minister has said he was prepared to discuss with the industry and with the truckers. They have said, "Thank you very much. What you are negotiating and doing is far better than any provincial-only regulation." So, unlike you, we actually listen to people when we're in there trying to facilitate solutions.

PERSONS DAY

Mrs Julia Munro (York North): My question is for the Minister of Citizenship, Culture and Recreation. Today, October 18, is Persons Day in Canada. As the minister responsible for women, can you explain the significance of this day to the people of Ontario?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member for York North for her question. Persons Day honours the genuine 'milestones' that women have made in this great country. In 1929, the Privy Council ruled that women were included in the definition of "persons." Women were therefore declared to be persons in the eyes of the law all across this country. We owe this landmark ruling to five outstanding Canadian women who took their fight both to the Supreme Court of Canada and to the Privy Council in England. These five women helped change the lives of women for future generations. Thanks to the legacy of these five women, women have taken a leadership role in virtually all areas of society.

In politics I'm thinking of women like Ellen Fairclough, the first woman to serve in the federal cabinet, as a minister of the Conservative government of John Diefenbaker in 1957. I'm also thinking of other women who have made their mark. For example, in Ontario we think of Lyn McLeod, the first woman who ran for Premier of this great province. We also think of Frances Lankin and the Honourable Dianne Cunningham, who each ran to be leader of their party, and of all women who have made a difference and made a statement with dignity and honour in this province.

We should be proud of them all, and this is a great day.

Mrs Munro: In honour of Persons Day, of those women who fought for legal recognition, what are you doing to ensure that women in Ontario achieve a measure of economic independence?

Hon Mrs Johns: In this province, one of the goals of the women's directorate is to make sure that economic independence is a priority of this government. My ministry has developed several programs to assist women in participating in areas of the economy where they traditionally have been underrepresented, programs like the \$5.8 million invested in the women in skilled trades initiative designed to increase the participation of women in the automotive parts industry, and the \$2 million which is used to increase the participation of women in the technology sector. The 2000 budget provided increased access to capital for woman entrepreneurs in small communities. We work hard to make sure—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

New question. The member for Renfrew.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I raise once again my concern about the ruling you made. I would ask for clarification as to whether or not—

The Speaker: Will the member take his seat. We're not going to get into doing this. We've had the ruling. I've made my ruling. The member might not like the ruling, but that's the way it's going to operate in here. I'm sorry the member doesn't like that. We're not going to get up on points of order and waste valuable time. I've now had to stop the clock. As you know, on a number of occasions I have stopped the clock in order for the third party to get down to their question. I've worked very hard to do that, and I've done that by making sure we maintain order in this House, and we're going to do it. If there's another point of order, which I take seriously, I'm going to get up very quickly. But you're not going to go on, and if it's on the same subject you're not going to have any debate on it. There is no debate on it. The ruling is there and that's the way it's going to be in this Legislature.

The member for Renfrew. Sorry for the interruption.

ENERGY RATES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Energy and it concerns rapidly increasing energy costs for Ontario consumers and businesses for the upcoming fall and winter. Millions of Ontarians awakened this morning to the shivering news that the Ontario Energy Board has just approved a 45% increase in natural gas prices effective October 1, 2000, for gas distributors in the province of Ontario. My first question to you is, what, if any, relief does the Harris government propose to offer, particularly to those hundreds of thousands of senior citizens and low-income individuals who are going to face increased costs in the order of \$450 to \$500 per household this winter?

Hon Jim Wilson (Minister of Energy, Science and Technology): Yes, a couple of weeks ago the Ontario Energy Board did approve an increase in natural gas prices. Everyone should know that the company that distributes natural gas, Enbridge in this case, is not allowed a profit at all on that gas; that is the actual cost of gas. The only thing they're allowed to include in addition to the wellhead cost of gas is the distribution cost. That's why we have the Ontario Energy Board there, to make sure that it acts in the best interests of consumers.

Certainly it's a difficult situation. Supply is being exceeded by rapidly increasing demand right across North America. In fact it's a worldwide problem at the moment. We expect to see prices come down in about eight to 12 months, and things should level out at that time.

Mr Conway: The second question concerns electricity, because it's quite clear from the recent ruling of the Ontario Energy Board, in response to your directive earlier this year, that electricity rates are going up. Let me read from the Ontario Energy Board decision of September 29, 2000, a decision in which the energy board says that on the basis of the evidence presented to it in the hearing this past summer, they—that is, the

Ontario Energy Board—conclude that when the electricity market opens in Ontario, in the next few months presumably, and when your government decides to lift its five-year freeze on electricity rates—and that freeze is expected to be lifted at the end of December of this year—the millions of consumers of electricity in the province can expect, minimally, a 13% increase in their electricity bill.

Minister, can you tell this House when the five-year rate freeze is going to terminate; and would you care to comment on the energy board's observation in its September 29 ruling that for the millions of customers of Ontario Hydro One, when that rate freeze ends and when the market opens, both events anticipated in the next few months, those Ontario electricity customers ought to expect, minimally, a 13% increase in their electricity bill?

Hon Mr Wilson: I'm certainly aware of the Ontario Energy Board's comments. It's something that we're reviewing as a government. To date, though, the only pressures on electricity prices in the province have come from municipalities, some of which have tried to take windfall profits out of their utilities and spend that money on municipal purposes other than their local electricity system. I remind people again that this is a monopoly business, it's a local distribution business, and municipalities should not be stealing money from the electricity sector to spend on some other municipal project or something else. So Bill 100 has been introduced in this House to protect consumers.

The other pressure we have, of course, is the commitment that the Premier reiterated here today for Ontario to be the best environmental performer in this country. We are already leaders. We are going to continue to be leaders in that area, and that's going to cost money.

1450

CRIME PREVENTION

Mr Frank Mazzilli (London-Fanshawe): My question is for the Minister of Consumer and Commercial Relations. I know our government has always been committed to maintaining a safe environment for all Ontarians. Part of this commitment includes cracking down on the use of illegal drugs. As Minister of Consumer and Commercial Relations, you came up with the idea that would see people from all disciplines working together to make our communities safer. Could you share with us how you've approached this task and what role you've played?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I thank the member for London-Fanshawe for the question and for his interest. In our party's Blueprint document, we promised to crack down on establishments where it can be shown that drugs are habitually being used or sold, and the Harris government keeps its promises.

In March, the Solicitor General and I sponsored an interdisciplinary enforcement summit where we looked at

ways to clean up problem establishments. There were over 100 participants from police and fire services, health and licensing officials, and the Alcohol and Gaming Commission, where we discussed ways of working together to crack down on illegal activities. I asked participants to finalize their recommendations so that all levels of government could develop a strategy to deal with illegal incidents. I am pleased to say that I will be releasing the final recommendations of the working group tomorrow morning.

Mr Mazzilli: On behalf of my constituents in London-Fanshawe, Minister, thank you. I look forward to seeing the report tomorrow.

You've always been a leader in the fight against crime. From your days in the opposition you showed leadership as a justice critic, and then as a Solicitor General. Now that you've changed portfolios, I'm pleased to see that you're continuing that fight against crime from a different angle. Minister, could you give us a preview of what you will be releasing tomorrow?

Hon Mr Runciman: I don't want to scoop myself, but I can assure you it will strongly address public concerns about drug dealing, prostitution, money laundering, and other illegal activities in clubs and bars in Ontario. These are tough, innovative recommendations that the Solicitor General and I are very supportive of and hope to see move forward as soon as possible.

The vast majority of liquor licence holders in Ontario operate responsibly, and the bad actors should be put out of business and kept out of business.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): My question is for the Minister of Health regarding her ongoing discrimination against northern cancer patients. On May 8 you promised this House that you would do a review of this inequity between northern and southern cancer patients. We know that this inequity exists; in fact, your Minister of Finance publicly admitted that in early May.

On September 13, after waiting four months to get this report released, I finally filed a freedom of information request, because I believe the work is done and I believe the document clearly shows the discrimination exists. I just received a letter from you that says you won't be able to reply to my request until after November 14 because you need to complete consultations associated with this request. Minister, this is nonsense. This is complete stalling on a really serious issue. You are showing your contempt for northern cancer patients by deliberately delaying a positive response.

Minister, where is this report and when are you going to end the discrimination against northern cancer patients?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): We are doing a comprehensive review of the travel program and we will be in a position to bring forward some recommendations at a later date.

Ms Frances Lankin (Beaches-East York): You've finished the review and you know it.

Ms Martel: Minister, the question was—

The Speaker (Hon Gary Carr): The member take her seat. The member for Beaches-East York can't continue to do that. I've got to name her and ask Frances Lankin to leave as well. Stop the clock.

Ms Lankin was escorted from the chamber.

Interjections.

The Speaker: I will say this. My colleagues in the other provinces are amazed at the number of people we throw out. If we look at the record, we throw more people out in Ontario than any other province across this country. In fact, when I told some of my colleagues about the people I've thrown out, some of them have been in a lot longer than me and haven't thrown anybody out.

Let me say this. If we want to hold the record and we want to continue to throw people out, that's fine by me, because I'm going to continue to maintain order. If people are going to continue to shout and fly in the face of the Speaker and want to challenge my determination, then they can go ahead. But the Sergeant at Arms and myself will be up removing people every day if that's what it takes.

The Minister of Health.

Hon Mrs Witmer: The travel grant that is referred as the northern health travel grant is only available for people in northern Ontario. I just remind the House that there is no travel grant available for people in southern Ontario, even though some of those individuals may travel similar distances. I would also remind the House that the Cancer Care Ontario referral program applies equally to all Ontarians.

Mr Peter Kormos (Niagara Centre): Come clean and be honest about it.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: The member accused the minister of lying on top of lies. That's out of order.

The Speaker: I didn't hear it. I was distracted a little bit.

Interjection.

The Speaker: Yes. Stop the clock, if we could. If the member did say it, he can choose to withdraw it. I'm sure we're all honourable members in here. If he did say it, I'm sure he will withdraw it.

Mr Kormos: Withdrawn, Speaker.

The Speaker: Let me say this. All members are honourable. I don't sit and listen to people yelling across when the answers are being given. I think we're all honourable members. But if need be, then I will listen a lot more carefully and people will get thrown out for things like that. There's no need to do that. I thank the chief government whip. When I'm standing up here, we don't need comments yelled as well. It's a difficult day, but we are going to maintain order here. If anybody wants to challenge my determination, they can go right ahead. But we are going to maintain order.

Interjections.

The Speaker: The member for Niagara Centre is named. I ask Mr Kormos to leave as well. Stop the clock.

Mr Kormos was escorted from the chamber.

The Speaker: Quite frankly, the idea of preventing one of the other parties from getting one question is extremely childish, to be going back and forth so that we get people thrown out so you don't get one more question. That is extremely childish in my estimation. If you want to do it—and I apologize to the Liberal Party, I have been slow in stopping the clock. In that case, I appreciate their letting me know. We will get to that question. I'll stop the clock, because we are going to get down to that question.

Hon Mrs Witmer: There is no discrimination in the Cancer Care Ontario referral program. It is available to all Ontarians whether they live in the north, the south, the east or the west. I would also just remind members that cancer patients in the north, when they do travel, do receive free accommodation in lodges that are operated by the regional cancer centres.

Ms Martel: My question was: Where is the report and when are you going to end this discrimination? Your government pays 100% of the food, travel and accommodation costs for southern Ontario cancer patients who have to travel far from home for cancer care. Yet every day across northern Ontario, northerners travel far from home to go to Thunder Bay or Sudbury or to Toronto and Ottawa, and your government only pays a fraction of the travel costs when they have to do that. This inequity has gone on for 18 long months now and it's going to go on for at least a year longer because of the long waiting lists in southern Ontario. There's nothing fair, nothing just, nothing right about your two-tiered system to pay cancer patients in this province. When, for goodness' sake, are you going to end the discrimination against northern cancer patients?

Hon Mrs Witmer: There is no discrimination. The cancer care referral program for breast and prostate cancer, that is available to anyone, no matter where they live—

Interjections.

The Speaker: The minister take her seat. Stop the clock. The member for Nickel Belt is named, Shelley Martel. I will ask her to leave as well.

Ms Martel was escorted from the chamber.

1500

Mr Tony Martin (Sault Ste Marie): Do you know how many miles northerners have to travel?

The Speaker: The member for Sault Ste Marie, I name him as well and ask him to leave as well.

Mr Martin: I don't get a warning?

The Speaker: Order. I will remind the member that if I ask the Sergeant at Arms to remove him, he will be out for the entire session, and I will do that if need be.

Mr Martin was escorted from the chamber.

The Speaker: I believe the Minister of Health has about 10 or 15 seconds, but I might be wrong about that. New question.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Premier. Last May, I spoke about the frustration of municipalities in Ontario with the fact that permits to take water are being issued without notification. When I called the Ministry of the Environment, they told me that they couldn't tell me how many active permits were in my riding because they no longer had the staff to track these statistics. On the first day of hearings into the tragedy at Walkerton, Dr Kenneth Howard referred to this lack of control. He said that it's like writing a cheque on your bank account when you don't know how much money is coming in.

It is critical that we process these permits so that we can begin to catalogue the use of groundwater in the communities and watersheds of Ontario. Not all permits are posted on the EBR, such as those for less than a year or renewals. Also, some municipalities and conservation authorities don't have access to the Internet.

Yesterday, when Dalton McGuinty asked you about your groundwater strategy, you said you were open to suggestions. My private member's bill, Bill 121, will require a director to notify municipalities and conservation authorities prior to issuing a permit to take water. It's a good first step. The Association of Municipalities of Ontario supports Bill 121, along with many conservation authorities. I ask you today, will you support Bill 121?

Hon Michael D. Harris (Premier): Let me say to the member from Hastings-Frontenac-Lennox and Addington that I appreciate very much the question and I appreciate the information she has put forward. She is quite right, we do take positive suggestions very seriously on this side of the House; the minister does, I do, the cabinet does and the caucus does. While tomorrow is private member's day and I don't believe I personally will be here, I can tell you we've had a substantial amount of discussion about your bill and about 50 other initiatives of a similar nature and ways that we can improve the whole area of understanding of groundwater, both from a quality and a volume point of view. I think it was the sense that your bill had some things in it that were quite constructive and positive. We don't think it goes nearly far enough, I would add, and I think there are a number of other areas where we need to go significantly further. But I applaud the effort and look forward to the debate and perhaps a strengthening and advancing on your bill that may take place in that debate. I'm sure it will contribute to an overall better groundwater strategy.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr David Ramsay (Timiskaming-Cochrane): "To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislative Assembly to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I affix my signature to that.

The Deputy Speaker (Mr Bert Johnson): There's too much noise and commotion.

Interjection.

The Deputy Speaker: I want to respond to that, if I can: the clock of life goes on and nobody can stop it.

The Chair recognizes the member for Rainy River.

Mr Howard Hampton (Kenora-Rainy River): I have a petition. It concerns the northern health travel grant. It says:

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

This has been signed by hundreds of residents from my constituency and I affix my signature to it as well.

The Deputy Speaker: Further petitions?

Mr Michael Gravelle (Thunder Bay-Superior North): This government needs to understand that we are not going to give up our battle to get fairness for the northern health travel grant. Petitions keep coming in.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

Hundreds more have come in today. I'm very proud to add my name to this petition.

McMICHAEL CANADIAN ART COLLECTION

Mr Rosario Marchese (Trinity-Spadina): A petition to the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection; vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on

the taxpayers; and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I fully support this petition.

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PENETANGUISHENE MENTAL HEALTH CENTRE

Mr Garfield Dunlop (Simcoe North): To the Parliament of Ontario:

"We, the undersigned inmate patients detained in the maximum security prison at the Oak Ridges division of the Penetang Mental Health Centre in Penetanguishene, Ontario (Oak Ridges), hereby call upon members of the Legislative Assembly to inquire into the fairness of a decision made by the Minister of Health to deny us the funding we requested for the provision of cable television in our cell rooms, which the inmates in other prisons have been receiving for many years."

It's very long, and it goes on to discuss the reasons. I'd like to present this to the Legislature.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature, and it's part of the 53,000-signature petition we have, northerners demanding that the Harris government eliminate health care apartheid.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care, while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I affix my signature to this petition.

LORD'S PRAYER

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the prayer Our Father, also called the Lord's Prayer, has always been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada under Lieutenant Governor John Graves Simcoe in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

HIGHWAY SIGNS

Mr John Gerretsen (Kingston and the Islands): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Mike Harris government has been spending hundreds of thousands of taxpayers' dollars on a provincial sign campaign accompanying highway construction sites which reads, 'Your Ontario tax dollars at work,' signed by the Premier;

"Whereas these signs serve no particular purpose except to promote the image of the Premier at taxpayers' expense;

"Whereas this kind of public relations exercise is a completely inappropriate waste of taxpayers' dollars and certainly is not a wise use of our tax dollars at work;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation immediately remove all of these partisan highway signs from provincial highway construction sites across the province of Ontario;

"Furthermore, we petition the Ontario Legislature to pass Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to prohibit partisan highway signs," which was introduced by Michael Gravelle, the member for Superior North, "which, if passed, would prevent the Ministry of Transportation from issuing to the crown any permit to display a sign which contains the name or image of a member of the provincial cabinet or a member of the Legislative Assembly or a partisan message."

This private member's bill was introduced and passed first reading in the Ontario Legislature on December 21, 1999. I agree with this petition and I've signed it as well.

McMICHAEL CANADIAN ART COLLECTION

Mr Rosario Marchese (Trinity-Spadina): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

"Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada's best-loved and most important art gallery collections of 20th-century Canadian art;

"Whereas the passage of Bill 112 would constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection; vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and significantly reduce its capacity and strength as an educational resource;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112."

I support this fully and I'll be signing it.

LORD'S PRAYER

Mr Toby Barrett (Haldimand-Norfolk-Brant): I also have a petition with respect to maintaining prayer in the Legislative Assembly of Ontario. It's a petition almost identical to the one read by the member from Lambton-Kent-Middlesex.

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

Speaker, I am on record previously as supporting these petitions and hereby affix my signature to this one.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My petition is to the Legislative Assembly of Ontario.

"Whereas we strenuously object to permits to take water being issued by the Ministry of the Environment without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request a moratorium on the issuing of permits to take water for non-farm, commercial and industrial use and the rescinding of all existing commercial water-taking permits that are for bulk or bottled water export, outside of Ontario, until a comprehensive evaluation of our water needs is completed. An independent non-partisan body should undertake this evaluation."

I proudly sign my name to this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Alvin Curling (Scarborough-Rouge River): This petition is to the Ontario Legislature, and Tom Wells would be very happy about this:

"Northerners demand Harris government eliminate health care apartheid:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of the newly formed OSECC, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I am in full agreement with this petition and I affix my signature to it.

The Deputy Speaker (Mr Bert Johnson): The time for petitions has ended.

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I seek unanimous consent to revert to motions.

The Deputy Speaker: Mr Klees has asked for unanimous consent to revert to motions. Is it the pleasure of the House? It is agreed.

Interjections.

The Deputy Speaker: I didn't hear dissent until after I made the announcement.

Interjections.

The Deputy Speaker: I'll take a moment.

I will remind members that it's not only important that we do the right thing at the right time, but the reason it's important to me—I really don't care how many times a person shouts no until I ask the question. When I ask the question and I don't hear, then I make an announcement. I want to say that.

That being said, in this House you require unanimous consent. There is obviously not unanimous consent. Therefore, my ruling is that we did not get unanimous consent for the motion that you are asking for.

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ORDERS OF THE DAY

TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000

LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS DE NATURE ENVIRONNEMENTALE

Mr Newman moved second reading of the following bill:

Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.

Hon Dan Newman (Minister of the Environment): At the outset, I'd like to indicate I'll be sharing my time with the member for Haldimand-Norfolk-Brant.

I'm pleased to have this opportunity to join with my colleagues in the Legislature to debate the Toughest Environmental Penalties Act, 2000. This is the first bill I have put forward as Minister of the Environment and it's a piece of legislation that I'm very proud of. This legislation has great potential to add to the safeguards to protect Ontario's air, water and land.

I know everyone in the House shares a belief in the importance of environmental protection and in the importance of solid legislation to protect it. This is a belief of the Mike Harris government. We are firmly committed to safeguarding our environment and ensuring that

Ontario's communities are healthy, safe and prosperous. We are just as firmly committed to legislation that helps us achieve these ends. We believe that penalties are essential to any viable framework for protecting the environment. This is why in the Blueprint, and again in the October throne speech, we promised to introduce legislation that would ensure the toughest penalties in Canada for major pollution offences.

Just eight days ago, I had the privilege of delivering another initiative toward meeting this commitment. On October 10, I introduced in this Legislature for first reading the Toughest Environmental Penalties Act, 2000. This government has set ambitious environmental goals and is taking unprecedented action to achieve them.

As Minister of the Environment, I am proud of what has been done and what we are continuing to do to meet our environmental commitments. Step by step we are putting in place the legislation and resources we need to ensure that our environmental laws are enforced and to provide penalties that fit the offences against our environment.

We have, in essence, a four-step action program:

First, 1998's Bill 82 strengthened the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. It also laid the groundwork for the ministry to impose administrative monetary penalties when a contravention of any of these acts has been detected.

Second, there was the creation last month of an environmental SWAT team to crack down on deliberate and repeat polluters and bring them into compliance with the law.

Third, the bill now before the Legislature provides strong and appropriate penalties for offenders.

Fourth, there is an administrative monetary penalties, or AMPs, regulation which I expect to release for consultation before long.

But make no mistake, the vast majority of people in this province respect the law and care about their environment, and that also goes for our companies, services and industries. They have no inclination to break the law and to put their neighbours, their communities and their environment at risk. But we must be vigilant to ensure the integrity of our environmental protection system, and that integrity depends on a credible system of punishment and deterrence for offences against the environment.

I assure the honourable members that our new legislation is a major environmental milestone for Ontario. If passed, this bill would give Ontario the toughest fines and the longest jail terms in the nation for major environmental offences. If passed, the proposed bill would increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for a subsequent conviction from \$2 million to \$10 million per day. It would increase the maximum fine for a first conviction of a major offence for an individual from the current \$100,000 per day to \$4 million per day, and for subsequent convictions from the current amount of \$200,000 to \$6 million per day. It would increase the maximum jail terms for a person

convicted of a major offence from two years to five years and it would increase the cap on administrative penalties from \$5,000 to \$10,000 per day.

I want to make it very clear that if this bill is passed, officers and directors of companies convicted of an offence under our laws would be subject to the toughest fines and jail terms in Canada for major environmental offences. These are very substantial increases. In one case, that of an individual convicted of a major offence against the environment, the penalty goes from \$100,000 to \$4 million per day. That's a 40-fold increase.

These proposed penalties that I have outlined would apply to offences under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

In addition, the penalty structure in the Ontario Water Resources Act would be amended to ensure that these tough new penalties apply to the most serious offences under the new drinking water protection regulation, those being failure to report samples that exceed standards in this province and failure to ensure minimum levels of water treatment.

It's obvious that the vast majority of individuals and companies in this province care about the environment and comply with the rules. They care first for the sake of the environment and of health. They realize that their long-term well-being and that of their children and that of generations to follow depend on well-protected air, water and land.

The people in this province also realize that a clean environment is a cornerstone of economic growth. They understand the concept of sustainability. Often this belief in sustainability has been made to them because improved environmental performance has reduced bottom lines in their businesses, or they have seen what has just happened in other jurisdictions where environmental degradation has gone hand in hand with economic stagnation.

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For these people—and again, they are the vast majority—the penalties we are proposing are great news. They will help level the playing field by taking away any incentive to pollute. It's difficult to see where that incentive is. It's difficult to see how anyone could put short-sighted economic interests above the interests of the environment and above the interests of a healthy, prosperous community.

But let's face it, there are those people. They are the people who wilfully, stupidly and arrogantly turn a blind eye to the law and to the health and well-being of their communities. Of course, their behaviour is the very antithesis of good community spirit. It is true that sometimes they have made short-term economic gains by cutting environmental corners, but the bill we are debating today, Bill 124, is bad news for them. Polluters will not prosper, and we are sending a clear message: a message of deterrence. If you are caught committing an environmental offence, you will face a much greater fine, should this bill be passed.

Let me provide some context to the bill we are debating today. Back in 1998, when we introduced Bill 82, the Environmental Statute Law Amendment Act, most of the regulations and other legislative tools that were available to ensure compliance and enforcement were more than two decades old. Where changes had been made, they were done piecemeal or they were so restrictive on staff that they were unworkable and therefore hardly ever used. Offenders were able to continue to operate, knowing the ministry's hands were tied, to some extent, tied by its own laws.

Compounding the problem, we had inconsistency in the way new provisions had been added. The result was that we worked with different powers and penalties under different acts. This caused confusion for our officers in applying environmental laws, and it also created confusion for the regulated community in understanding its responsibilities and its rights. We needed rules and penalties that were stronger and clearer for the regulators, for the people they regulate and for the public at large.

The ministry's legislation was also lagging behind other Canadian jurisdictions in making available the use of modern compliance tools such as administrative monetary penalties. Clearly, we needed reforms to bring our province in line with other provinces and to make our laws better able to perform their intended purpose: deterring and punishing polluters, as well as protecting our environment.

Bill 82 laid the foundation for our action program. It strengthened the compliance and enforcement provisions of the legislation administered by the Ministry of the Environment. We increased the ministry's capabilities to deter and punish those who do not obey the law. We gave ministry staff more modern investigative aids and techniques. We enabled ministry staff to go after not just those who were actually involved in the commission of waste offences but also those who were at work behind the scenes, such as the brokers who make arrangements for illegal dumping and tell transporters where to take their waste. We also gave the courts a tougher penalties regime in which to punish and deter polluters.

And now we are making justice even tougher to avoid. We are taking square aim at the small group of companies and individuals who would sacrifice the environment for their own profit. We must do everything in our power to ensure a clean and health environment for today and for generations to come.

This will be a new group of environmental officers, with an innovative approach to identifying new and emerging problems, a group with a mandate to act quickly and effectively. The SWAT team will focus on cracking down on companies or individuals who deliberately or repeatedly break the law and jeopardize our health and our environment. The team will be very mobile. The ministry will be able to quickly deploy SWAT to address immediate threats to the environment. The SWAT field units will be equipped with state-of-the-art communications technology to draw on broader resources without leaving the field, and that's very important.

Ministry district staff will continue to conduct inspections and respond to pollution reports. The SWAT team will be able to focus on targeted sources, sectors or areas of concern, and it will be able to conduct inspections and follow up on them.

We realize the vast majority of companies and individuals are very conscientious in meeting environmental requirements. They should be encouraged by the creation of the SWAT team, because it will provide a level playing field. Environmental offenders will no longer benefit from their actions at the expense of law-abiding companies and citizens.

We intend to have parts of the environmental SWAT team operational in late fall. I expect when they are operational that prosecutions, especially for the most serious offences, will increase. Strong enforcement is necessary to provide a deterrent effect to motivate compliance. It provides fairness in the marketplace to ensure non-compliant facilities do not gain an unfair competitive advantage.

The ministry's commitment was reflected in the increase in total numbers of charges laid, convictions and fines issued in 1999. The number of charges laid in 1999 was 51% higher than those laid in 1998. Convictions rose by 48% during that same time period. All told, there has been a 200% increase in the number of orders issued for the period between 1996 and 1999 to this year. During the same period, the number of tickets issued has increased even more—by 225%.

Job number one for the Ministry of the Environment is the environment. In building the best possible system for doing this job, we are aiming our compliance and enforcement activities where they can do the best for the environment: at those activities which present the biggest threat to our health and to our environment. In 1995 we introduced a priorities exercise, and I'd like to add that this process was already in place. The NDP government also recognized the need to get the best use out of their resources. How they went about getting there, at best, was another issue, but at least we agree that there needed to be priorities set.

I'm returning to SWAT, which itself will have a set of priorities. The team will help the Ministry of the Environment achieve its mandate by effectively and visibly deterring deliberate and repeat polluters from crimes against the environment.

This brings us to the matter that we are discussing, the Toughest Environmental Penalties Act, 2000. We believe that where there's a crime there must also be punishment, and there is no doubt that environmental offences are serious crimes that deserve commensurate punishment. The Toughest Environmental Penalties Act, 2000 puts teeth in the mouth of Bill 82. It will result in the availability of the highest fines in Canada and jail terms higher than most other jurisdictions for major environmental offences. Jail terms will be on a par with those of the Yukon, which currently has the longest jail terms in the country for pollution offences.

It is, of course, up to the courts to determine the appropriate punishment, be it a fine or a prison sentence for any offence. The courts must consider a number of factors when deciding the appropriate fine and/or jail term in environmental cases. These factors include the maximum penalty prescribed in legislation, the nature of the environment affected and the extent of the damage.

It is up to the government to set the statutory maximums for a given offence, and we are doing just that with this bill. By increasing the maximum fines and jail terms for major environmental offences, we send a clear message that the government considers that these offences are serious. High statutory maximums will give the courts additional flexibility in deciding how much an environmental polluter should be penalized. I'm sure the honourable members from all parties will agree that this government, that all of us want serious pollution offences to be met with serious penalties.

Lawbreaking would be even less enticing because of the stiffer fines that we now propose. Because of their ability to play the system, some polluters have seen fines as just another cost of doing business. We propose to make fines play their proper role as both punishment and as a deterrent.

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The Aquatech conviction just a few months ago sent a strong message to potential polluters, even under the old rules. Fines totalling more than \$1.135 million were handed down in the case involving the discharge of petroleum liquid hydrocarbons into the Keating Channel in Lake Ontario between September 1996 and March 1997. Two of the senior people involved were sentenced to six months in jail and a third to four months. This was in addition to significant personal fines.

I predict that even stronger messages will be sent to potential offenders when all the elements of our action plan are in effect. Pollution simply doesn't pay. It can be very damaging to the polluter and in direct proportion to the damage to the environment.

We are also sending a message out to the great majority of Ontarians who do obey environmental laws that we are taking strong and appropriate action to ensure that the environment is protected and we are taking strong and appropriate action to provide the best possible environment today and for generations to come.

As I said earlier, I intend to release an administrative monetary penalties, or AMPs, regulation in the next month or so. Administrative penalties are already in place in other Canadian jurisdictions. The new regulation would help spell out how this power is to be used. We are considering a maximum administrative monetary penalty of \$10,000 for every day that a contravention occurs.

I want to stress that these penalties are not fines. They would cover minor contraventions that normally wouldn't go to prosecution. I also want to stress that administrative monetary penalties are not a replacement for prosecution. They are a much-needed tool to help us strengthen compliance with Ontario's environmental

laws. Ensuring compliance is, after all, the main way we protect Ontario's environment.

There is one point I'd like to make here that I believe is very important. According to one media report, the member for Beaches-East York has said that we are repealing the ability to fine officers and directors of polluting companies. This is not accurate. The ability to fine officers and directors remains unchanged. In fact, we are getting tougher on them. So the honourable member had it all wrong. I want to repeat again for everyone that we are getting tougher because the bill would also require us to go the tougher prosecutorial route with the officers and directors of polluting companies. And, as I stated, earlier, the bill that we are debating today would apply the tougher fines and jail sentences to these officers and directors.

One way these penalties can help us protect the environment is by resolving many minor contraventions that normally wouldn't be resolved. We have other mechanisms for dealing with major offences, but it will help the environment and help level the playing field for honest operators if we can get companies to remedy situations that may have continued in the past. We would also be able to deal with more non-compliance situations than we can at present.

One further way to deal with non-compliance situations would be a pollution hotline, where we can get input from the public, the very people whose health and well-being are most affected by environmental offences. We are looking at options for creating a hotline.

The toughest penalties we are proposing build on the strong record of environmental accomplishment that we have in this province. This summer we announced Operation Clean Water, which focuses on a province-wide effort to improve water quality and delivery in the province. The centrepiece of Operation Clean Water is the drinking water protection regulation. By requiring immediate notification to appropriate authorities and full public access to water quality information, the regulation ensures that the process for protecting Ontario's water supplies will be crystal clear, as the water itself. We all know today more about the state of our drinking water than ever before in the province's history.

We have raised the bar where water quality is concerned. For the first time, drinking water testing and reporting requirements have the full force of law. Individual discretion has been removed from the equation. The rules are there, the rules are clear and they have to be followed to the letter.

We are also looking at how to best ensure the quality of water coming from small waterworks. A discussion paper has been circulated, and we need to determine the appropriate level of regulation for these systems. We are currently holding meetings with stakeholders across the province to help with this task.

As well, we are providing at least \$240 million in SuperBuild funding to help smaller towns, cities and rural areas to upgrade their water systems and to help pay for sewage treatment projects. Our investments also

include a \$6-million groundwater network to help us ensure the sustainability of Ontario's water resources. Among other initiatives, we'll be working with municipalities and conservation authorities during the next three years to install more than 350 electronic monitors to measure groundwater levels across Ontario.

As you can see, we've been very busy at the Ministry of the Environment in the past few months, doing everything in our power to protect the water, land and air of our province.

We are also continuing the momentum we have developed in other areas of environmental protection. Drive Clean, for example, is well on its way to meeting its goal of reducing smog-causing emissions by 22% in program areas. Drive Clean is complemented by the smog patrol, which continues to target the most grossly polluting vehicles on our roadways.

We have announced unprecedented initiatives to clean up Ontario's air and address global climate change. This year alone, Ontario has introduced strict air emissions limits and mandatory monitoring and reporting requirements for the electricity sector. We placed a freeze on the sale of all coal-fired generating plants pending an environmental review, and we've implemented the new Air Quality Ontario initiative to ensure all Ontarians have early and improved access to air quality information.

Ontario is developing emissions caps and mandatory monitoring requirements for other industrial sectors. As well, emission performance standards are being developed for electricity generators from outside Ontario selling electricity into the province.

We've announced a policy review and expert panel on the redevelopment of old industrial lands, which presents a great potential for both cleaning up contaminated sites and spurring economic growth, something this government is all for.

I want to thank the honourable members for the attention they give to this very serious issue of how to best protect the environment. I believe the penalties that I am proposing and that we are debating here today in the Legislative Assembly are part of the best possible environmental protection system for Ontario. Our five-step action program is a comprehensive overhaul of the way Ontario deals with environmental offences and with offenders.

We have new investigative tools and procedures to allow ministry staff to be more efficient and effective in the field. We have tightened the net to catch some of the less visible pollution offenders who have in the past slipped through the loopholes in the system. We'll have strong and clear legislation setting out appropriately stiff penalties for offenders. This sets a framework for our courts to apply these stiffer penalties.

We'll have an elite and mobile SWAT team which will strategically target the most serious and most persistent offenders. We'll have new administrative tools to deal more effectively with contraventions. We'll have the power of a concerned and alert public, armed with a

hotline that gives each of them direct access to action when they see a pollution offence.

Our new toughest penalties bill and the rest of our action program show we are serious about ensuring that companies and individuals comply with Ontario's environmental laws. If this piece of legislation is passed by the members of the Legislative Assembly, Ontario would have the toughest fines and jail terms in Canada for major polluters. The results will be cleaner communities for all Ontarians.

I know this is a goal that is shared by all members of this House and I urge my colleagues in the Ontario Legislature to support this very important piece of legislation.

1550

Mr Toby Barrett (Haldimand-Norfolk-Brant): I'm delighted to have this opportunity to talk about a piece of legislation that my colleague the Honourable Dan Newman has introduced for first reading. Environment Minister Dan Newman calls the Toughest Environmental Penalties Act, 2000, an environmental milestone for Ontario and I agree wholeheartedly.

I know that all of the honourable members of this Legislature want the strongest possible protection for Ontario's air, water and land. We all share the desire for cleaner, healthier and more prosperous communities across this province.

I'm equally sure we all agree on the need for strong laws to ensure these important goals are met, and tough penalties for those who break the law, penalties tough enough to provide an effective deterrent for those who might be tempted to do the same. There was a comment about enforcement and I wish to take an opportunity to talk about the SWAT team that was announced during the last provincial election, which is described very briefly in our Blueprint document. If I have the time, I will talk a bit more about the new SWAT team.

From some of the comments back and forth, I'm aware that we may not all agree on what road to take, but we all want to get to the same destination. That destination, as Minister Newman has very recently described it, is a set of safeguards for our environment to ensure that Ontario's communities are healthy, safe and prosperous. Like him, I'm proud to be part of a government that has set ambitious environmental goals and is taking unprecedented action to achieve them.

The name of the bill describes it well: the Toughest Environmental Penalties Act, 2000. If passed, this bill, which was promised in the Mike Harris government's Blueprint, as I mentioned, would give Ontario the toughest fines and the longest jail terms in the nation with respect to major environmental offences. The proposed penalties would apply to offences under the three acts that are administered by the Ministry of the Environment, and I'll name them: the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. In addition, there would be amendments to the penalty structure in the Ontario Water Resources Act supporting the new drinking water protection regulation. These

changes would ensure that the most serious offences under the new regulation would attract the highest penalties available.

This regulation is noteworthy because it is yet another example of the strong action this government is taking to protect our environment. As members will recall, the drinking water protection regulation introduced this summer is an integral part of Operation Clean Water. With that regulation, Ontario has, for the first time in its history, legally binding requirements for not only testing but also reporting.

This Toughest Environmental Penalties Act, 2000, is another first of sorts. If passed, these will be the toughest penalties Ontario has ever had for major pollution offences.

As Minister Newman has just explained, the proposed penalties would increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million a day. For subsequent convictions, a corporation will see maximum fines increasing from \$2 million to \$10 million a day.

The proposed penalties would also increase the maximum fine for a first conviction of a major offence for an individual. This maximum fine would go from \$100,000 a day to \$4 million a day. As Minister Newman has explained, that's a 40-fold increase. For subsequent convictions, the maximum fine would increase from \$200,000 a day to \$6 million a day.

We're also proposing to increase the maximum jail terms. This would be again for a person convicted of a major offence, jail terms going from two years to five years. I'll expand on that point a little further in my presentation.

We typically, and rightly so, associate prison sentences with the most serious offences committed against our society. Unfortunately, environmental offences haven't always been seen as being on the same level as these most serious offences. However, there is great potential for harm to individuals when a few bad environmental players in our society decide that the laws are beneath them.

Clearly, disregard for the environment is disregard for the health and well-being of other people. This is compounded by the very nature of pollution. Pollution is interrelated, it's cumulative over time and its effects are not always known. Pollution offences really are the ultimate in out of sight, out of mind. Environmental lawbreakers themselves can't see an immediate effect, so they persist. We all know there are many cases where environmental lawbreakers do see the effect yet they still continue to pollute.

The only thing we know for sure is that we will pay a big price if polluting activities are not stopped, and we see evidence of this every day. So it's entirely appropriate that with the bill being debated today we are proposing to increase the maximum jail sentences for environmental offences. Again, the penalty must be proportional to the crime. Environmental offences are serious, very

serious, and so are we with respect to dealing with these issues.

Getting back to what is being proposed by the bill, there's also a provision to increase the cap on administrative penalties. This increase will go from \$5,000 a day to \$10,000 a day. Without getting into too much detail here, these administrative penalties are just one more way to provide the ministry with the tools and the flexibility it needs to get the job done.

This bill, if passed, would increase the Ministry of the Environment's capabilities to deter and punish those who do not obey the law, those who choose to sacrifice the environment for their personal gain. I can't stress enough that while what we are doing here will make life more difficult for polluters, it's also designed to be fair to those who do obey the law, because of course lawful operators as well are victims of pollution and are victims of these same polluters we are cracking down on with these tough measures. We will also give these lawful operators a level playing field. For too long the field hasn't been level. For too long many environmental offenders have been able to avoid justice. When justice did come, sometimes it wasn't as tough as we would have liked.

As Environment Minister Newman has pointed out, this bill is part of a comprehensive overhaul of the ministry's regulation and enforcement powers. It's an important part because it enhances and it adds to the reforms that were made two years ago with the Environmental Statute Law Amendment Act. That legislation strengthened the compliance and enforcement provisions of the legislation administered by the Minister of the Environment, the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. Taken together, Bill 82 and the new tougher penalties act are fair to those who do comply with Ontario's environmental laws. However, these measures are very tough on those who break them.

I welcome Mr Newman's announcement of the new environmental SWAT team to crack down on deliberate and repeat polluters and bring them into compliance with the law. The SWAT team will include highly trained inspectors and new investigators, as well as environmental program analysts, environmental engineers and scientists. This SWAT team is a new group of environmental officers with an innovative approach to identifying new and emerging problems, a group with a mandate to act quickly and to act effectively. That's an exciting prospect, and I look forward to seeing them in action.

1600

While we are focusing on bad environmental performers, let us never forget that there are good corporate players out there. They choose to obey the law for a number of reasons, not the least of which is that it's morally right to do so. They want to see a clean environment. They do not want to get ahead by sacrificing our air, by sacrificing our water, our land. They do not want to get ahead by sacrificing the health of the people in this province.

The right to make a good living carries with it important responsibilities to the community of Ontarians, not the least of which is carrying on business in an environmentally responsible way. The vast majority of companies and individuals who do business in this province are aware of those obligations, and many go out of their way to meet them. Good corporate players believe that if the rules are fair and if the rules equally apply to all, you should be able to comply with those rules and you should be able to do well for yourself. That truly is the nature of our rich province of Ontario. The Ontario government certainly shares this belief.

We're firmly committed to ensuring that this view prevails. The Toughest Environmental Penalties Act, 2000, is another step in the right direction. As I said at the outset, if passed, this bill would give Ontario the toughest fines and the longest jail terms in the nation for major environmental offences. It's good news for the environment and it's good news for citizens of Ontario. I will point out, and we do stress this, this will be very bad news for those who would pollute.

In his presentation, Minister Newman this afternoon addressed the question, "Why do we need a SWAT team?" As is the case in law enforcement, a more aggressive and targeted team is required if we want to better address specialized problem areas in a strategic way. The team must have the ability to move to new and emerging problems, as I indicated, and it must have the flexibility and the support to stay in the field to ensure that polluters are caught. Minister Newman refers to this SWAT team as the soil, water and air team, a SWAT team that will target specific areas of concern.

The team will be comprised of a very highly qualified, specialized group of ministry employees. By putting all their efforts into compliance inspections and enforcement, the team will be able to focus on specific targets and conduct inspections and follow up quickly. This new team will complement our existing staff in the district offices of the Ministry of the Environment by focusing all their efforts on compliance inspections and enforcement activities on specifically targeted sectors. They will have a different approach and a different type of technology support.

I will mention that existing staff respond to more than 22,000 notifications of spills and pollution reports. Existing staff within the Ministry of the Environment assist with more than 16,000 certificates of approval, permits and licences that are issued annually by the Ministry of the Environment. These staff complete about 4,000 inspections on an annual basis.

Current baseline inspections done by the district office staff ensure that all major sources and facilities are inspected on a routine basis. Existing field staff will continue to do baseline inspections and respond to pollution reports. However, as a separate entity, the SWAT team will be able to strategically focus on those targeted sources, those targeted areas, that need special attention and will be able to conduct compliance inspections, enforcement and all the follow-up activities that are

required in a much shorter time period. Inspection schedules will be integrated to ensure that there's no duplication between the role of existing staff activities and the new SWAT team initiatives.

Initially this newly created SWAT team will have 30 inspectors and nine investigators. The approach is new, obviously, so appropriate training, job definition and technology supports must be put in place. As these actions mature, the nature of the employment contract will also be finalized.

The ministry also wants—we all want—to retain flexibility and ensure that this new approach is consistent with the best practices review that's being conducted across the ministry now by Valerie Gibbons.

We intend to have the SWAT team operational by late fall. There's an estimate for start-up costs of about \$10 million, and there will be an annual cost of about \$8 million to maintain the SWAT initiative.

The money for SWAT will come from general revenues. There are no plans to cut other programs to pay for this program. Increased fines that are anticipated from this SWAT initiative will go to the provincial consolidated revenue.

I'd like to put some of these inspection activities in perspective. The Ministry of the Environment issues, as I've mentioned, about 8,500 new certificates of approval each year. There are about 7,000 new permits and licences for pesticides alone, and 1,000 permits to take water are issued annually. This was discussed earlier in the House. While some of these will have expired, there's still in excess of several tens of thousands of activity sources, each of which should be inspected occasionally to check for compliance status.

Records indicate that in 1998 we had 414 convictions. Cases have become much more complex in recent years and defendants have become increasingly aggressive in fighting charges. This results in investigators spending more time in court dealing with existing cases and less time investigating new cases. With an enhanced compliance inspection and enforcement program, through the SWAT team, we'll be able to ensure that polluters or potential polluters will be caught and that the odds of catching them will be increased; second, that they will face convictions and pay those significant penalties, as described today by Minister Newman, for their actions.

I want, however, to reiterate—and I don't want to dwell on the negative—that most Ontario companies are good corporate citizens; they do obey the law. Only those companies that defy the law, only those companies that engage in practices that are damaging to public health and damaging to the environment need worry about the newly created SWAT team.

Over time, the program will also act as a deterrent and encourage compliance with our environmental laws. A strong enforcement presence may also result in businesses developing and implementing more innovative technologies to deal with some of our environmental challenges.

We clearly expect prosecutions to increase with the SWAT team. It will focus its efforts on those companies most likely to be breaking the law. In addition, they have the flexibility and they will have the backup support to stay in the field, where the polluters are, and to ensure that the polluters are caught.

1610

Together, the SWAT team and the tougher penalties will increase our ability not only to deter but also to punish those who choose to jeopardize both the public and the environment.

I stress that we have gone beyond what we promised in the Blueprint document. With respect to our Blueprint, both the jail times and the fines described then are now proposed to be much greater than originally promised. Presently we do have the toughest fines and jail terms in all of Canada for major environmental offences. We are keeping our promise in the Blueprint to get tough on polluters. These tougher fines and jail terms send a message that we will not tolerate anyone who operates outside the law and threatens our environment.

It is up to the courts to decide on the appropriate penalty to impose on convicted environmental offenders. The courts consider a number of factors when deciding the appropriate fine or jail term. These tougher penalties send a clear message that the government considers major offences serious, and high statutory maximums will help the courts decide on how much a polluter should be penalized. Only companies and individuals that defy the law, jeopardize public health or our environment, or cut costs at the expense of the environment need worry about these tougher fines and jail terms.

With respect to the penalty structure, I mentioned before the three acts that this involves. The Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act establish a three-tier penalty structure. Each level includes a maximum penalty for individuals and a maximum penalty for corporations, which are further broken down into categories for first and subsequent offenders. The first tier or level is minor offences, such as failing to file a monitoring report as required by regulation. The second level would encompass those offences which pose or may pose a risk to the environment, such as a contravention of a certificate of approval or a contravention of an order. The third level is major offences, such as those which result in environmental damage or impair water quality. This bill will amend the penalties for the third level—that's the focus—those offences which result in environmental damage or those offences which impair water quality.

These tougher penalties send the message that we will not tolerate anyone who operates outside the law and threatens our environment. The more serious offences, under the new drinking water protection regulation that was just introduced this summer as part of Operation Clean Water—for example, failure to treat water supplies or failure to report a problem with drinking water—will also become subject to these new penalties. Again, we are sending a clear message that failure to protect

Ontario's drinking water supplies is a very serious offence.

With respect to these penalties, they are tougher than they have been; there's no question about that. These penalties are tougher than we originally indicated during the election campaign. We are keeping our promise to get tough on lawbreaking polluters. As I've mentioned, we now have the toughest fines and jail terms in all of Canada for such major environmental offences. These tougher fines and jail terms send a message that we will not tolerate any individual, we will not tolerate any company that deliberately threatens our environment or our public health. Only those companies and only those individuals who are repeat offenders, those companies or individuals who deliberately pollute or jeopardize public health and the environment need worry about these penalties. On the positive side for business, this will level the playing field, and those who break environmental laws will not benefit at the expense of Ontario's good corporate citizens who comply with these laws.

This act, the Toughest Environmental Penalties Act, 2000, would amend the penalty structure of the Environmental Protection Act, Ontario Water Resources Act and the Pesticides Act. If passed—again, I wish to stress this—the proposed penalties would increase the maximum fine for a first conviction on a major offence for a corporation from \$1 million to \$6 million a day, and on a subsequent conviction from \$2 million to \$10 million a day. This new Toughest Environmental Penalties Act will increase the maximum fine for a first conviction of a major offence for an individual from \$100,000 a day to \$4 million a day and for subsequent convictions from \$200,000 to \$6 million a day. This act will increase maximum jail times for a person convicted of a major offence from two years to five years. This new legislation will increase the cap on administrative penalties from \$5,000 a day to \$10,000 a day.

The penalty structure in the Ontario Water Resources Act would also be amended to ensure that these tough new penalties apply to the most serious offences under the new drinking water protection regulation; for example, failure to report samples that exceed standards and failure to ensure minimum levels of treatment.

When it comes to protecting the environment, people have told us they want to see two important changes. First, they want government to crack down hard on companies that are polluting our land, our air and our water. Second, they want to make sure that they and their children will be able to enjoy even more of Ontario's natural beauty in the future.

Our government has already passed an environmental protection law that made it easier to enforce anti-pollution rules and made it easier to deter people from breaking the law. Now we want to back up those laws with the toughest penalties in our country.

As I've mentioned, we have to enforce those penalties—I think that question came up—and to that end we will create the environmental SWAT team, a specialized group of environment ministry staff who will audit

industries to make sure they're obeying the rules. We will also combine the patchwork quilt of laws that protect the environment into one clear, comprehensive and easily enforced set of environmental laws.

We also think that the public can be a tremendous resource for protecting our environment against polluters. To help people get more involved in protecting the environment, we've developed and promote the toll-free pollution hotline for people in Ontario to report possible acts of pollution.

I certainly look forward to working with Minister Newman on some of these initiatives. Much of my work as a parliamentary assistant has the objective of helping cabinet to implement election commitments as outlined in our Blueprint: commitments for clean water, clean air and clean land, in addition to and coupled with creating a level playing field, assisting to cut property taxes and income taxes, getting people back to work, balancing the books and beginning to pay down the debt. As the parliamentary assistant, I feel there's a key role for me to play in this. There's a team that works on this; not everything need be focused on Environment Minister Newman.

Just to reiterate some of what I've said, the bill that we're debating will ensure that tougher penalties are possible in situations where human health is put at risk. The more serious offences under the new drinking water protection regulation are addressed forcefully; namely, failure to treat water supplies or failure to report problems with water supplies. These are clearly subject to these new penalties. By bringing in this legislation, we want to send a very clear message that failure to protect Ontario's drinking water supplies is a very serious offence.

1620

Just like in the drinking water protection regulation, we're not engaging in a lack of consultation. Minister Newman made mention of the small waterworks consultation. I joined Minister Newman a week or so ago in Peterborough to get views from eastern Ontario. I was in Thunder Bay recently to get the views of people who operate small camps, bed-and-breakfasts, some of the challenges we face with lumber camps, mining camps, people who are in the bush fighting fires. More recently we held consultations in Guelph. Many of the presentations were from small campground owners and from farmers who were concerned not only with their need for water-taking permits but farmers who are involved in intensive agriculture with respect to growing potatoes, strawberries, tobacco, all products that oftentimes are grown in light, sandy soil and require irrigation, especially at times like the summer before our last summer, which in contrast was very, very wet.

People are concerned. They've been following events very closely. People realize that to have safe and clean water will require economic resources. It requires the commitment of financial resources from the Ontario government, the federal government, the private sector and individuals themselves.

Again I want to stress that this particular legislation does not include minimum fines. We stress maximum fines to provide guidance for the courts. Minimum fines were repealed by Bill 82, which came into effect in 1999. Minimum fines in legislation may draw the courts to impose a lower fine rather than a higher fine. It is up to the courts to decide on the appropriate penalty, however, to impose on convicted environmental offenders. The courts consider a number of factors when deciding appropriate fines or jail terms, and through the courts, through these very high fines, these tougher penalties send the message that government considers major offences to be very serious.

I wish to wrap up my presentation. I look forward to further debate and I encourage all in the Ontario Legislature to support this legislation in the spirit of protecting our public health and continuing to ensure a safe, clean environment.

The Deputy Speaker (Mr Bert Johnson): Comments and questions?

Mr Alvin Curling (Scarborough-Rouge River): I'm delighted to respond to the minister and the member from Haldimand-Norfolk-Brant, the parliamentary assistant on this bill, which really surprises me. You would never believe this is the same government, the same people who have created a crisis. Of course this government's motto from its inception has been, "Let's create a crisis and then we'll go about trying to solve it." You would never believe that this is the government that cut 880 jobs from the Ministry of the Environment. That's about 36% of all the staff laid off; \$121 million, 42% of the budget, slashed. You'd never believe it, and they come today and talk about how tough they are with the environment. They have left that ministry without any resources to operate.

Legislation and regulations protecting the environment have been weakened with the Environmental Assessment Act and the Environmental Protection Act. You would never believe it. You would never believe that this is the same government and that the public today has no faith in their ability to ensure clean water.

Just recently we saw seven confirmed deaths resulting from the Walkerton drinking water tragedy, and as you know, nine other deaths have been under investigation. You'd never believe, with the cost of the inept attitude and the cutbacks that are causing some of the situations today in our environment, that this government is talking about how tough they are on environment. The public has completely lost confidence in this government.

We over here will support anything that moves progressively to support protecting the environment. This is not enough, but I'm sure we support it. I would never believe that this government which caused such a tragic crisis in our—

The Deputy Speaker: The member's time has expired. The member for Toronto-Spadina.

Ms Marilyn Churley (Toronto-Danforth): Toronto-Danforth, Mr Speaker.

The Deputy Speaker: I'm sorry, Toronto-Danforth.

Ms Churley: It's OK. I'm happy to speak for a couple of minutes here, although shortly I'll be speaking at length about this bill before us today. I've said in the House and I'll say it again, I actually feel distraught and sad about what's going on here with the destruction of our environment. Here we have the minister—and I believe the parliamentary assistant is quite sincere. I believe that when he stands up and speaks to this bill, with the data that's been provided to him, he believes it's a good thing. But I hope that the minister and the parliamentary assistant will listen, because it isn't.

Often we don't know what is the motivation for some of these bills; in this case we know absolutely what's going on. What's going on here is that Walkerton happened, and during that time, a draft cabinet document was leaked to the NDP. It said very clearly in that draft submission that there was a perception by the public that this government was not protecting the environment, and something had to be done about it. This is a direct reaction to make it appear—it's smoke and mirrors again—as though the government is doing something.

Sounds good; high fines. The reality is, under the existing fines, under the existing laws, this government is not inspecting, not enforcing, not prosecuting. That is documented even within the government's own documents. I am not making this up.

In 1996, just in waste water offences alone, there were 1,000 violations and only four prosecutions; in 1998, there were 3,300 violations and one prosecution. I will be speaking more about this later.

The Deputy Speaker: I must apologize to the member for Toronto-Danforth. I had that well-known north-south thoroughfare mixed up with that equally well-known east end thoroughfare. My apologies. Comments and questions?

Mr Bob Wood (London West): As members know, this bill is going to give us the toughest fines in all of Canada for major polluters. These tough fines and jail terms are going to give us greater ability to deter and punish those who choose to operate outside the law and threaten our environment. This will level the playing field. Those who defy environmental laws will not benefit at the expense of good corporate citizens, who are in the majority and comply with the laws.

Members are, of course, aware that we have cleaner air, cleaner water and cleaner soil than we did five years ago. This bill is part of that strategy, which is working to protect our environment.

Members are aware of a number of initiatives that were introduced by this government: Drive Clean, which is on target to reduce emissions by some 22%; the brown field remediation, which will reclaim abandoned lands; the anti-smog action plan, which is a public-private partnership now involving some 50-plus industrial participants. We have as well Operation Clean Water, which has its objective of strengthening the protection of our water supply.

Taken as a whole, this is a very strong strategy. It's a strategy that has built on things that have been accom-

plished in the past, but has introduced some major new initiatives which I think are going to be very helpful in providing for Ontarians of today and for Ontarians of the future the kind of environment of which we can be proud and the kind of situation where all our citizens will be able to take full advantage of the magnificent natural setting for which we've all been blessed and with which we've all been blessed.

1630

M^{me} Claudette Boyer (Ottawa-Vanier) : Il me fait plaisir d'avoir l'occasion de réagir au projet loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.

Of course we will support this bill in any significant initiative that will do everything in its power to turn around this government's dismal legacy of Ontario being the third worst polluter in North America.

What a shame. How can this government actually enforce these penalties without new resources? We all know that as a direct result of the Ministry of the Environment's losing its capacity to enforce our pollution laws, mostly because one third of its staff has been fired and its budget has been slashed 45%, without a significant increase in staff for inspection, enforcement and prosecution this bill is absolutely meaningless.

This government really refuses to get tough with criminal breaking of environmental law. Statistics show that more people have been convicted of begging money and squeegeeing cars than for penalties concerning water and air.

Je trouve que même si on va voter pour ce projet de loi—

The Deputy Speaker: Time has expired.

The Chair recognizes the member for Haldimand-Norfolk-Brant. You have two minutes to respond.

Mr Barrett: I appreciate the member for Ottawa-Vanier's saying that of course she will support this bill. I appreciate her concerns with respect to implementing these kinds of fines and, second, her concerns with respect to staffing. Staffing issues were also raised by the member for Scarborough-Rouge River.

I want to make it clear that this new SWAT team, which will be very instrumental in implementing these new tough penalties, will complement existing staff by focusing all their efforts on compliance and inspections and enforcement activities on those specifically targeted areas that really need to be zeroed in on. This team will have a different approach from existing staff in the ministry and will be using a different type of technology.

The member for Toronto-Danforth—I've heard this phrase before—said, what is the point in increasing the fines? What is the point in increasing the jail terms for environmental offences? The increase is very tough. You raised the issue of whether it would be enforced and what would courts do with that. It's up to the courts to decide on the appropriate penalty to impose on convicted environmental offenders. The courts consider a number

of factors when deciding the appropriate fine or jail term. I stress that it's only those companies and only those individuals who defy the law and only those groups that jeopardize public health and the environment that will be in trouble.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: I seek the unanimous consent of the House to stand down the leadoff of the official opposition.

The Deputy Speaker: Is there unanimous consent?

Interjections.

The Deputy Speaker: I want to just address a couple of things. If you're talking, you can't listen; and if I'm standing, you're to listen.

I only want to know if there's unanimous consent. If you want to debate it, then it will have to be a motion. Is there consent? It is agreed.

Interjections.

The Deputy Speaker: I will have order.

Further debate.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I will be sharing my time with the member for Windsor-St Clair.

I would like to say this afternoon that I'm very happy to have the opportunity to stand in the House and speak to Bill 124. It's important that the members of the government understand that, as members of the opposition, the members of the Liberal Party of Ontario think it's important for you to know that any act or any piece of legislation that comes to this House that will work toward improving the environment for Ontario, that will address the issue of polluters, we certainly are prepared to support.

Having said that, however, I think it's important that I take this opportunity to share some of the concerns I have about Bill 124. I've indicated as a Liberal that—it has been very clearly presented, certainly during the last election campaign—Dalton McGuinty had a very comprehensive plan with regard to the environment. It's important for the people of Ontario to know that Ontario Liberals are advocates for the environment. It was part of the Ontario Liberal Party platform to enact a new Ontario safe drinking water act. This act would set clear and enforceable standards, would restore water testing programs that had been cut by the Harris government, and would restore and enhance funding for cleaning up the Great Lakes and target the most toxic hot spots.

The Liberal Party of Ontario would stop the Harris plan to privatize the Ontario Clean Water Agency and prevent municipalities from selling their water and sewer assets to the private sector.

The Ontario Liberals would have introduced a new Ontario clean air act that would convert Ontario's five coal-burning plants to cleaner-burning natural gas plants. That's what Liberals represent: we are advocates for the environment. We have a plan for a cleaner, safer, healthier environment for Ontarians.

We would give Ontario the cleanest gasoline in North America, instead of the dirtiest. We would set new air

emissions standards that would be among the toughest in North America. Let's get tough on our own standards.

The Ontario Liberal Party would have introduced a new hazardous and toxic waste act. We would have implemented a new annual state of the environment report card. I think it is a very important point to make that this act, when passed by a Liberal government, would identify major polluters. It would list major incidents and what has been done to fix them. It would include up-to-date health information, such as the incidence of respiratory illness. It would also include a major audit of the government's own performance, so it would be a report to the people of Ontario on how the government legislation has actually been followed through.

That's what the Liberals in Ontario stand for with respect to the environment. I'm very proud of the policy statement we put forward at the time of the last election, and I believe it allows me to very comfortably stand in this House this afternoon and support the bill. It also provides a backdrop from which I can make some comments that I would hope the government might consider in terms of where I think the bill falls short.

I listened with great interest to the presentation from the member from Haldimand-Norfolk-Brant. He indicated that this bill will introduce the toughest environmental laws in North America, and certainly that is to be commended.

1640

The great concern I have with that, however, is that we may have the strongest, the toughest, the most punitive laws, but the greater question is, who will be there to enforce them? What resources have been presented to enforce them? I know there was a presentation in the member's remarks, and I'm going to address the SWAT team issue in just a few moments, but it's also important at this time to remind the members of the House that this is the government that cut one third of the staff at the Ministry of the Environment. They cut 900 people from the Ministry of the Environment, the ministry with the responsibility of protecting our resources. It's important to understand that of those numbers that have been cut, the one third of staff, \$15 million was cut from the compliance and enforcement branch of the Ministry of the Environment, and 141 staff members were cut from the compliance and enforcement branch. The member from Haldimand-Norfolk-Brant talks about a SWAT team of 65. So the ministry has cut 141 people; 65 does not even replace 50% of the amount the government has cut.

It's important for the people of Ontario to remember that when you cut the people who lay the fines, there's got to be an impact, and the impact is that the number of fines falls. In fact, fines have fallen by 66% from the number of environmental fines that were laid in 1995. It's very easy to see, to make the connection, that when you cut a budget, when you cut a ministry, when a government makes those choices, there are impacts. It has an impact on the environment. What we have seen in

Ontario is that the number of polluters being prosecuted for the sins they're committing has fallen.

I want to make some reference with regard to the newly established SWAT team. I did try to listen very carefully and I tried to write down the words of the member, and certainly Hansard would bear me out, but I believe the member from Haldimand-Norfolk-Brant indicated that they have created 65 positions at the Ministry of the Environment. It's important for the people of Ontario to understand that it would probably be more accurate if the member had indicated that some of those 65 people will be redeployed from other branches of the Ministry of the Environment. They've not gone out and hired 65 new persons to fill in this role on the SWAT team. Those persons who might be newly engaged are engaged on a contract basis for an 18-month period. So for the member to present that the government has very responsibly established a new unit, many of these people have been redeployed from other parts of the Ministry of the Environment, which really gives me some great concern because it begs the question, who's doing the job they were doing if they are now participating in the SWAT arrangement? It's very important for the people of Ontario to understand that.

As a member of the Liberal Party, I am certainly prepared to support an act that will address people who pollute, that will penalize them, that has tough penalties. What I'm saying is that we need to have more resources provided within the body of this bill so that it can actually become reality. It looks good on paper, but the reality is that, until we start supporting the Ministry of the Environment in a meaningful way with dollar resources, all the laws in the world will not enable the people to address the myriad, the thousands of polluters who are out there who are not being made to account for their activity.

I thank you very much, Speaker, that I've had the opportunity to address the assembly.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to join the debate on Bill 124, an Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties. Let me begin by saying that I, along with my colleagues, will be voting in favour of this bill.

I appreciated the comments of my colleague from Hastings, particularly with reference to our leader, Dalton McGuinty, and the very clear policies that our party and my leader, Dalton McGuinty, outlined in the last election: our clean water act, our clean air act. They were, in my view, groundbreaking recommendations that, had Dalton McGuinty become Premier, we likely would have in place now.

I want to spend the balance of my time talking about Bill 124 in the context of the government's overall environmental record. I'm sure other members will be talking about these numbers, as I am, to remind the people at home, in my case the people in the great riding of Windsor-St Clair, the east end of Windsor, the home of Paul Martin Jr, who today gave an absolutely inspiring

mini-budget that really showed what you can do if you have a compassionate and balanced government in this country.

In Windsor-St Clair we deal with the whole question of cross-border pollution every day. The now government House leader, who at the time was environment minister, will remember a couple of years ago when the American authorities fired up the Conners Creek energy generating station in Detroit. Conners Creek is a coal-fired energy facility that is directly upwind from many of the tens of thousands of people in my riding. When we made representations to the state officials in Michigan about our concerns with respect to Conners Creek, they laughed at us. They laughed at us because of Ontario's abysmal record in this regard. I had the opportunity at that time to meet with officials of the Environmental Protection Agency in the United States, with concerned citizens in the great city of Detroit, Michigan, along with constituents in my riding. That in a nutshell I think puts the dilemma into context.

We've seen this government get up on a bill that on the face of it makes good sense—increase the fines, increase the penalties—but we have to keep in mind the context that the government has cut one third of the environment ministry staff and slashed its budget by 45%. They've cut inspections, enforcement and prosecutions. The level of fines levied under various provincial statutes has declined dramatically under this government. So as I prepare to vote for this initiative, I have to remind myself that it's absolutely meaningless if we do not undertake to improve our record of inspection and enforcement.

Nine hundred people were cut from the Ministry of the Environment. Let me tell you what that meant in my community: they closed five air quality monitoring stations. The government talks about the effect of cross-border transboundary pollution. I acknowledge that is a difficult challenge for any government. It requires enormous overlays between federal, provincial, state and local authorities to deal with it. But in my community these penalties will be meaningless if we don't get more air inspection stations. It's just that simple.

We don't have a local Ministry of the Environment any more; we get people down from Sarnia. Oftentimes some of the good people in my constituency call me and request my assistance with environmental matters and, like members on all sides of the House, diligent members who attempt to respond, we do so, but we find ourselves having to call Sarnia to get a response to local issues.

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Fines enforced by the ministry since 1995 have fallen by 66%. They were only \$850,000 in 1998. The Sierra Legal Defence Fund issued a report showing that in that same year, the last year to which there is data available, there were 3,300 documented cases of industries violating Ontario's water pollution laws. Only one of those companies was ever charged and convicted of breaking the law. That's an abysmal record, and this from a government that prides itself on fighting crime. Well,

when you violate our environmental protection laws, that's a crime, in my view. It's not in the Criminal Code, I understand. I understand those distinctions, but it is a crime.

I had the opportunity to speak with Robert F. Kennedy Jr a week or so ago. He was here in Toronto at a fundraiser for my leader, Dalton McGuinty. He spoke quite passionately about the need for enforcement. He spoke about American laws allowing individuals the right to sue when polluters pollute the environment. It's something that he said is lacking here in Canada for a variety of legal and constitutional reasons. He talked about his own experiences in enforcing, trying to enforce our understanding of the problems we create for ourselves, and indeed for our children and grandchildren, when we don't enforce our existing laws.

This government promised in its Blueprint document to bring in an environmental SWAT team of inspectors and enforcement. In March of this year, two months before Walkerton, Ministry of the Environment staff prepared a cabinet submission calling for a minimum of 130 new staff positions for that team. The submission said that the team could be up and running by this fall. When the submission was leaked to the media in June, Mike Harris called it a "phony-baloney" cabinet submission. In September of this year, four days before our House was set to resume, the Minister of the Environment announced that the government was going to bring in a SWAT team of only 65 members, ignoring his own bureaucracy's recommendations. We have also learned since then that all of these may not be new positions. Some existing ministry staff are being seconded into these positions and they will be on 18-month contracts. This leaves us to be concerned that the team may not be continued after the political storm over Walkerton has died down.

While I can support this bill, and I don't think any of us could disagree notionally with increasing the level of fines that are levied against polluters who are convicted, we need to revisit the budget cuts to the Ministry of the Environment and the staffing cuts to the Ministry of the Environment. We need to review very carefully the impact that those cuts have had on regions like my home of Windsor, where we live day in and day out with the effects not only of pollution generated in Ontario but the infamous transboundary pollution.

I urge the government in the strongest possible terms, in an era when surpluses are large, when the economy is growing due to the leadership of men like Paul Martin, to seriously consider reintroducing or re-establishing a meaningful level of funding to the ministry. Look at your own, to quote the Premier, "phony-baloney" cabinet document. Invest enough so that you can enforce this new law. Don't just talk about it. Don't talk the game, don't talk the talk, but walk the walk. Without those kinds of initiatives, I fear not only will we not move forward, we will move backward.

I truly regretted that yesterday the Minister of the Environment of Ontario embarrassed the people of this

province, indeed the people of this country, by not signing on to that national agreement. I was embarrassed for us as a people. I was embarrassed because in my community of Windsor we deal with the effects of trans-boundary pollution. Every major jurisdiction in the world is prepared to sign on to that. Instead of doing what was right for the people of my community, the great riding of Windsor-St Clair, he chose to play political games and allow the environment to deteriorate further.

The Deputy Speaker: Comments and questions?

Ms Churley: I'd like to point out, after listening to my Liberal colleagues, that since they invoked the name of Paul Martin and his budget—and of course he's competing with Mike Harris now in who can make the biggest tax cuts; in fact they're in bed together. We've got a situation where Mike Harris is congratulating Paul Martin on his latest budget. Very interesting.

But I want to say in all sincerity to my Liberal colleagues, look at the federal Liberal government's environmental record. It too is pathetic. They have made massive cuts. I would say part of paying down the deficit in Ottawa was not only due to people who are on employment insurance being cut back, health grants and other grants to provinces being cut back, but also the environment was deeply cut. There was a lot of deregulation.

Now we have an election coming and, hopefully, because at election times we see huge expenditures of money—this is an area where the federal Liberals are also very weak—I'm hoping very much that the election will cause some good announcements to be made by the federal Liberals, particularly in the Adams mine situation, where the Harris government, Mayor Mel Lastman and the majority of his council are planning to go ahead with a plan to dump millions of tonnes of Toronto's garbage in a lake. We know there is fractured rock in that lake.

After Walkerton, for heaven's sake, we need somebody to intervene. Mel Lastman did get a motion passed that said if the federal Liberal government called for a federal environmental assessment, they will not go ahead with the deal. The ball is now in the federal Liberals' court, and we are calling on them to call an environmental assessment to stop this crazy plan.

The Deputy Speaker: The member's time has expired.

Mr John O'Toole (Durham): I believe the member from Toronto-Danforth probably is closer to the truth. The federal Liberals have it all wrong. It was our Minister of the Environment, the Honourable Dan Newman, who was here today, carefully listening to the debate on Bill 124. What we're looking for is balance, not pointing fingers. I think Ontario, under the leadership of Minister Newman, is calling the federal government's bluff.

It's very important today to read for the record a very good article from the Ottawa Citizen, dated Monday, October 16: "10 Myths about Global Warming." Viewers today should get that. You can call me at my constitu-

ency office, and I'll get it to you. It debunks, calls into question, the whole issue, and it puts some balance in the debate. There's no question that each of us here wants a safe environment. That includes clean air, water and soil. I'll just give you one fact here.

"Myth #2: 'The most important greenhouse gas is carbon dioxide,' the principle gaseous by-product of fossil fuel use." Greenpeace and other radical environmentalists have a fantasy for a theory.

"Fact: Water vapour causes 98% of the greenhouse effect, with additional contributions from carbon dioxide, or CO₂ ... methane, nitrous oxide and other trace gases. An increase in water vapour at the equator due to El Niño in 1998 caused worldwide average temperatures to spike by almost 1 C that year. The human contribution to the atmosphere's total water vapour content is trivial in comparison" to the actual natural process of nature.

This isn't just some editorial. Tim Patterson is a professor of earth sciences at Carleton University in Ottawa.

What we're looking for is balance in the debate, and I believe Minister Newman is doing the right thing.

The Deputy Speaker: The member's time has expired.

1700

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): First of all, I would like to commend my colleague from Hastings-Frontenac-Lennox and Addington and also the member for Windsor-St Clair.

The member for Hastings-Frontenac-Lennox and Addington has learned pretty fast. She has joined a team that does believe in a safe environment. She has joined the Dalton McGuinty team.

When I looked at this bill, I just hoped that the Ministry of the Environment would enforce and follow the procedure. This bill applies for everyone in the province of Ontario—the private sector, the business people, the individuals.

But just lately the MOE has sprayed a forest in Mattawa, in the Premier's riding, with a pesticide called glyphosate. After calling the MOE, the MOE told us, "Well, we're not too sure but would you please call Health Canada?" We did, and they sent it to us by fax, and it's marked clearly—and we know the hunting season has just started. The message we got about this pesticide was, "Unfortunately, we cannot determine the health risk to hunters, or others Consequently, it may be prudent not to consume deer meat."

When I look at this, at the present time the Ministry of the Environment has not followed their rules lately, especially in the water treatment plant, when they drill a well in St Isidore, L'Orignal and also the Hawkesbury CIP lagoon, which is the property of this government.

Mr Steve Peters (Elgin-Middlesex-London): I want to commend my two colleagues for their efforts in bringing forth their comments today. It's important to recognize that Dalton McGuinty and the Liberal Party are committed to working on improving the environment, and we're extremely disappointed at the pace that this government is taking to try and do anything to rectify the

environmental problems in this province. All one has to do on a daily basis is read the clippings: "Toxic Results in Doubt"; "Cleaning Toxic Waste Could Cost \$40 Million"; "National Standards Urged for Greenhouse Gases"; "Officials Cautious After Waterlines Break"; "Water at Risk Across Ontario."

This government has decimated this Ministry of the Environment. It's a shame what they've done to the environment in this province, and they have no regard for the damage that they've done. Look at the downloading that's taken place. Look at the water plants that have been downloaded. I can look at the Elgin area water system. The due diligence report that was completed on that water plant showed that the capital investment had been underfunded within that plant since 1995. That's a direct result of this government's mismanagement of the environment ministry. Look at the cuts that have taken place across this province within the Ministry of the Environment. This government is not committed to the environment and safety for future generations. We look around this room at the young pages who are here and look at the damage that this government has caused for future generations in this province. It's an extreme shame what you've done and it's a disgrace what you have done.

One of the things that we need to do and understand, all of us sitting within this Legislature and everybody in this province, is that we all do have to accept a collective responsibility for what has happened. We, as the Liberal Party, recognize that the damage has been done, and when we're in power in 2003 we're going to make sure that these cuts that have been put in place by the Ministry of the Environment are going to be removed. There is going to be a commitment to environment, because there is no commitment to environment from this government.

The Deputy Speaker: The member for Hastings-Frontenac-Lennox and Addington has two minutes to respond.

Mrs Dombrowsky: I would like to thank the members who participated around the comments that I made—the members from Windsor-St Clair, from Toronto-Danforth, from Durham, my colleague from Elgin-Middlesex-London and my colleague from Glen-garry-Prescott-Russell.

The people of Ontario will be able to detect the common thread of concern from the Liberal perspective, and certainly it is worth restating that we are always in support of any piece of legislation that is going to improve our environment, that is going to provide tougher penalties for those who would not regard our environment and work to ensure that it can be safely passed to, as has already been referred to, the pages who are here, our future. That of course is our great concern as the Liberal Party, so very well articulated by Dalton McGuinty.

So while we will support the bill—I certainly am prepared to support the bill—it is with concern and with reservation and some serious questions about the government's ability to follow through with these tough new laws that they made, because quite honestly I don't

believe the people to do the work in the field are there. They have fired, let go, released from their responsibility 151 people whose role was to enforce compliance of regulations, and they are being replaced by 65. I think that's not good enough and I would have liked to see a much better and stronger plan for Ontario.

The Deputy Speaker: Further debate?

Ms Churley: Bill 124, which we're debating here today, repeals some of the toughest provisions in the existing law. That's the joke. That's the tragedy of this that we're debating here today. I don't know if any of the members here have taken a look at this, if the minister has taken a look at this document that goes along with the bill. I have taken a very good look, and I find a lot of problems with this. I'm going to outline some of them right now to the minister—he's here—and perhaps he would agree to some amendments. Because I can assure you that without those amendments I will not and the NDP will not be supporting this bill before us today. It has some serious flaws that need to be addressed. We have addressed those in the Legislature before. On Monday, when I was in Walkerton for the first day of the public inquiry as to what happened there, my colleague Frances Lankin, the NDP's deputy leader, asked a question in this House about one of these serious flaws and did not get an answer. This is one of two—and more—very serious flaws with this bill.

Right now, the existing law allows administrative penalties against a director or an officer of a corporation who has failed to take all reasonable care to prevent the corporation from polluting the environment. This bill actually weakens environmental laws while pretending to make them tougher. That is the reality; it's right here in the bill. Bill 124 is an exercise to be seen to be responding to the tragedy in Walkerton and the public criticism that is out there. The funny thing is, what I don't understand is—and we didn't get an answer to this question—why is the government amending these environmental penalties that were brought in by a former Minister of the Environment, Norm Sterling? This was one of the very few good things we could point to that this government did. At the time we criticized it for the same reason we're criticizing this public relations bill we're debating today, because this government doesn't monitor, doesn't enforce, so what's the point of penalties at all, because they're not doing anything about it under the existing law. Fines and penalties have gone way down under the existing law. But the reality is, we thought it was a good thing that the former minister brought this amendment in, so that those who were accountable, those directors, had to show that they had taken reasonable care to prevent the corporation from polluting the environment. If they couldn't show that, they could be prosecuted.

This minister is taking that out under this bill. You have to ask why. What friends are they protecting now? How did this come about? Who was mad at Norm Sterling and the government for including this, for making an amendment to the Water Resources Act so that those directors and CEOs could actually be held accountable if

it was shown they were not taking measures to protect the environment?

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The other problem we have pointed out, one of the many problems—and I've asked the question about this as well, with no adequate answer. I don't know if the minister knows about this or not, but I'm glad he's here because he can fix it. Last November, November 25 to be exact, the Supreme Court of Canada issued an important ruling on the deductibility of fines and penalties under the Income Tax Act. Do you know what this means, Minister? The effect of this court decision was to allow companies to deduct fines and penalties from their income for tax purposes. Therefore, let's look at what this means. If a company is fined \$1 million or \$10 million, they could then deduct that amount from their income, thereby reducing their tax liability, taxes that would be paid to the province of Ontario. So, if they're fined and under this court case they can now deduct that fine, the taxpayer ultimately pays for it, because that is money that then will not be coming into the coffers of the Ontario government to provide services for the people of Ontario.

This is ludicrous. If you put these two together, alone, they make this bill worthless. You've got a situation where they're taking out the component about directors and CEOs being able to be prosecuted, and they're not doing anything about this court decision that was made to allow corporations to deduct any fines for income tax purposes. This gives them the licence to pollute. It's just the cost of doing business.

From the government, I believe I've heard some noises that this is a federal matter, that there's nothing we can do about it. But there is something they can do about it. Ontario can do something. My staff and I have looked into this. We think it's so fundamental and monumental that something like this can be happening, so we looked into it, and here's what Ontario can do: it can amend section 11 of the Ontario Corporations Tax Act by providing that no deduction may be claimed by a corporation in computing its income for taxation year in respect of an amount as a fine or penalty.

Now, if the government does not have the resources to do the research and the drafting of such a bill—and we all know that the minister and the ministry have trouble with resources these days; there just aren't enough there. But despite the fact that there are only nine people in my caucus and a limited staff, I'm here to tell the minister today that we've done the research and I'm quite happy to provide the minister with a copy of the bill. I am not allowed under existing laws in Ontario to make such—I'd present it as a private member's bill if I could, but I can't. But I'm happy to give this to the minister so he doesn't have to use any resources, so he can introduce this bill. I have it right here. It reads, "Corporations Tax Amendment Act, 2000," and the explanatory note is quite simple. It "amends the Corporations Tax Act to provide that fines, penalties and levies are not deductible as

business expenses." The bill itself is very short, very clear and to the point.

I very much hope that the minister will take me up on my offer today and will accept this bill in good faith—I'll have an unmarked copy sent across later; this one is marked up a bit—so he has the opportunity to do something about this. I would ask as well, if he really is serious about bringing in the toughest penalties that have real effect, that he will not only pass this bill but that he will also revert back to the provision in the bill that will allow officers or a director of a corporation to be prosecuted, because otherwise it's just the cost of doing business.

The other very compelling reason why this bill is an absolute sham and a disgrace is that it doesn't do anything for the problems, the crisis we have in environmental protection in this province right now. Everybody in Ontario who knows anything about the environment, who's following what happens here, except the government of the day, is saying categorically that we have a crisis with environmental protection in this province and something needs to be done about it.

Just listen to this. In 1995, environmental fines in this province were at \$2 million. You might say that's not enough, but it was \$2 million. Under your government it dropped to \$850,000. That's under the existing laws. That's under the existing maximum fines for offences. So you're not enforcing existing laws. You are not prosecuting. Raising the limit means nothing if you don't have the staff to monitor, enforce and lay charges and if you don't have the political will to go after those who are polluting our air and our water.

The cabinet document that was leaked to the NDP, which we released in this House, said that you needed 500 new staff. So even if they had the political will to prosecute, so that people would end up having to pay for crimes against the environment, the staff aren't there to do it. The staff aren't there to monitor, the staff aren't there to enforce, the staff aren't there to make sure that the polluters are caught.

I'm going to read some quotes from the document we released. It's dated March 14, 2000. In my opinion, and I've said this before, it was nothing more than a cry for help, because we know how low staff morale is at the Ministry of the Environment and has been since these guys came into power and started cutting and slashing. Get this, because it is a very important point made by the staff who work in the field at the Ministry of the Environment. Again, this is not me, a member of the NDP, saying this; this is what the staff who are on the front lines are saying: "Less than 10% of sources of pollution, those most likely to cause health or environmental problems, are inspected in any one year"—less than 10%. It goes on to say, "To get to a level where all sources of pollution are inspected annually would require in excess of 500 new staff."

Knowing that the Harris government was not going to put the money into hiring 500 new staff, what the document—come on. The minister is looking amazed by

that, after they cut out even in the last budget I believe another \$17 million, the only ministry in the last budget, when the budget was balanced, that still got a massive cut. The document recommends a 138-member SWAT team, they call it, "to focus on four or five special assignments per year." A sample list is provided, detailing issues not currently being addressed which the SWAT team special project should be chosen from and indicating the benefit of each. What they do say is that there would have to be choices made for even a 138-member SWAT team to do part of the job, to try to get at that over 90% of environmental problems which weren't even being inspected because the staff weren't there to do it.

We waited and waited for this so-called SWAT team to be announced. Then, lo and behold, just a little while ago in September I went to the big announcement, fully expecting to hear that there would be a 138-member SWAT team. I was prepared to be critical of that because our party, the NDP, said clearly in the election—the Liberals said they would hire 100 new staff back; the NDP was very clear that we would hire 500 new staff. This was prior to Walkerton. This was part of our campaign promise because we recognized that environmental protection is connected to the health of Ontarians and we were very worried about where we were going without the staff there to do the job. That was the campaign promise we made.

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Then it was one of the recommendations—the recommendation—in this cabinet document, but knowing it would be rejected, they came up with I guess an innovative solution. But they also said in that document that there was a public perception that the government was not doing its job, was not protecting the environment, so it even dealt with that.

It talked about press opportunities. The cabinet decision document notes that there is a growing public perception that the government is not protecting the air, water and land. It goes on and says, "This is partly the result of a perception that Ontario is not enforcing its environmental laws." I think that's very nicely put, because it's not a perception; it was a reality which was proved time after time after time in this province.

Mr Caplan: With fatal consequences.

Ms Churley: With fatal consequences. Eventually people died as a result.

Since the Harris government decimated the ministry budget and shed some—it's not 900, you know; it's over 1,000 environmental staff. So this would come as no surprise, that there was a perception that the environment wasn't being protected.

The cabinet document said that 500 of the staff would have to be hired back to do an adequate job of environmental protection and enforcement, and proposed instead this high-profile, low-cost option of creating the SWAT team. When I went to the announcement, lo and behold, the minister didn't announce a 138-member SWAT team. To our shock and dismay—it was just unbelievable—

what the minister did announce was a 65-member SWAT team, so it's half of the 138 that was recommended.

Hon Mr Newman: An important first step.

Ms Churley: "A first step," the minister says. It's a bit late for first steps after firing, getting rid of 1,000 staff. Now they're talking about this as a first step, 65 members.

The cabinet document frankly sets out the cons to the low-impact SWAT approach, as opposed to hiring enough staff to actually inspect pollution sources. It says it will not achieve the goal of high visibility and increased prosecution. Less environmental protection. It also had the solution—and this is what the SWAT team option is all about. It's written right here in the document. Listen to this. Again, I'm not making this up. This was in the document: "Staging SWAT photo opportunities, encouraging feature stories on the team's enforcement efforts with targeted sectors, and issuing periodic news releases at the onset, during and following special investigations."

I can see it now: cute little uniforms, the SWAT team going out one day in a specially marked car and the press all being called, speeding down a highway and going to some targeted factory that is a known polluter, going in there and issuing tickets, and that's what they do.

They're all centred in Toronto. They've laid off and shut down front-line services across the province, and these 65 people—after what happened in Walkerton and all the evidence in their own cabinet submission, the best they can do is come out with a 65-member SWAT team which the cabinet document clearly shows is all about PR. "There is a perception we're not doing the work here, so let's set up this little team to go out and get photo ops."

I want to talk about what a total sham this bill before us today is. The minister continues to look perplexed. I don't know when he's going to get it. They laid off 1,000 staff. Let me give you some numbers here. Let's see. Since 1995 the Ministry of the Environment budgets have been cut by about 60%. People talk about 30%. Listen up. It's 60%, because that includes the capital and operating expenses. We talk about 30%. I've been doing some work on this. I suggest the minister look again. It's not just me saying this. It is all documented in government documents. It's there to read if you want to know what's really going on. It's 60% when you add up capital and operating budgets since 1995. That's how much your ministry has been cut.

In 1994 the MOE operating budget was almost \$400 million. That wasn't at its peak. When the NDP was in power—I don't have the numbers in front of me—I think it peaked in 1992-93. Because of the recession we actually cut back some of the new money we had put in, but it was still at \$400 million. The capital budget in 1994 was more than \$150 million. That was in 1994. Compare that. Think about it.

I'm going to repeat the numbers. In 1994 the operating budget of the Ministry of the Environment was about \$400 million; the capital was more than \$150 million.

Now listen to this. For the 2000-01 budget, under the Mike Harris government, there is now \$158 million—compare that to \$400 million—for operations and \$65 million for capital. That's gross. That's beyond the pale. That's such an important ministry. It's as important as the Ministry of Health because protecting our environment, as we learned tragically in Walkerton, is about protecting our health. That's how much has been cut out of the budget since these guys came to power.

I know—once again I stand here; it's enough to make you despondent—that on many occasions in this Legislature in the early days, as environment critic I went to all the committee hearings when the government was busy cutting and deregulating and changing all the acts to water them down and dilute them. I sat in those committee hearings, and I stood in this House, and all you have to do is go back through Hansard and you will see that time after time my leader, Howard Hampton, and myself rose in this House and warned the government that the cuts were going to cause harm.

We specifically talked about the cuts to water and water protection. I said quite frankly then and I'll say it again, that when we were in government we did a number of things to improve water quality in this province. We knew we hadn't done it all and that a lot more needed to be done. We had the privilege of having a lot of information this minister has now and we started to actually take some action to deal with it.

We didn't have an opportunity to do a lot of things that should've been done and that I wish we had done, but I can say categorically, and it's not just me saying this, that the NDP, the Liberals and the Tories before the Liberals all took positive steps to move environmental protection in this province forward. We absolutely did that.

We set up the Ontario Clean Water Agency. One of the big differences between this government, the Harris government, and the NDP when in government is that we took 1,000 staff and transferred them all to the Ontario Clean Water Agency so we'd have a dedicated group of staff who would deal specifically with water issues. This government took 1,000 staff and put them out on the street. That's one of the big differences between them and us and now and then.

The other thing we did was transfer \$200 million immediately from the Ministry of the Environment over to the OCWA as a dedicated fund. I know that when Walkerton first happened, for a while the minister and others must have been given a briefing note saying that the NDP cut \$200 million out of the Ministry of the Environment. Well, they stood corrected. They're not saying that any more. I'd like to think they didn't know this when they were saying it, that somebody gave them wrong information. But in fact that \$200 million wasn't cut out of the Ministry of the Environment; it was transferred directly to the Ontario Clean Water Agency to deal specifically with water issues.

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There are a lot of steps that we took, but I want to make it clear that corrective action was being taken, despite a very bad recession. We had the Tories sitting over here as the third party and the Liberals sitting there as the official opposition who were on their feet every day saying, "Stop spending money. The deficit is the problem. Stop spending money." We continued to spend money on the Ministry of the Environment because we felt it was absolutely essential to make sure there was enough money, adequate funding in that budget, to continue to at least take positive steps forward.

In May 1991, the MOE granted \$5.9 million to improve sewage collection and water distribution systems. That was with the aim to improve water quality and water supply systems. We set up the CURB program, Clean Up Rural Beaches. It was a small program. It was a multimillion dollar program, but considering what we know today and what we were learning then about manure runoff, it was an absolutely essential, important program. The idea was not to blame farmers for the problems, but the growing awareness that agriculture manure runoff was a problem for our drinking water. So we started this program to work directly with the farmers, with dollars attached, to help them come up with real solutions to keep the manure from running off. What did this government do? They came into power and, unbelievably, didn't extend or expand that program; they cut it. It's just unbelievable.

One of the many other things that's not talked about very much in this Legislature is leaking underground storage tanks. It was interesting that on the first day of the hearings in Walkerton, a hydrogeologist was talking about some of the main problems with groundwater and the forces of contamination. He repeated on several occasions—his data were from the US; he didn't have comparable data here in Canada, but he said he had no reason to believe it's different—that one of the main sources of contaminants of our groundwater actually comes from leaking underground storage tanks. Think about it. We don't see them. They're sort of out of sight, out of mind, but all over Ontario, underground, are these storage tanks.

What I did, because as Minister of Consumer and Commercial Relations it fell under my jurisdiction, was bring in the toughest regulations in all of Canada, perhaps even in North America, to protect our groundwater from leaking underground storage tanks. As far as I know, those regulations are still on the books. I doubt they are being enforced any more because there's nobody to enforce them.

I also know that leaking underground storage tanks, because they come under the jurisdiction of the Minister of Consumer and Commercial Relations, come under the—what is it called? It's gone out of my mind now, and I should know because I was there. Remember, we had the debate in the House where the ministry was transferring—and that just passed. In the middle of Walkerton, this happened. All of the safety laws of Ontario,

including underground storage tanks, have now been passed off to a private body which has no accountability to this House, no accountability to the auditor, no accountability to any other body. They are the people who are now in charge of making sure these leaking underground storage tank regulations are kept in place.

I think there are some good people over there, but we cannot be putting our safety laws, when it could again mean a matter of life or death, as we know in Walkerton, as we know with the tragic bungee-jumping accident, because that too is part of the safety laws that were transferred from the ministry and from government accountability. We can't be passing these things off to the private sector and certainly we can't be passing them off to an unaccountable body. That's what's happened there.

That was another thing I didn't get any attention paid to at the time. I knew as an environmentalist that it was something that had to be done, and I did it. An announcement was made in the House and that was the end of it, but I was very proud that that was something we here in Ontario brought in to protect our groundwater.

In 1993, the NDP brought in something called MAP, the municipal assistance program. Most of the money in that program—millions of dollars again—went directly to municipalities to help them with their sewer and water upgrades. Then of course we established the Ontario Clean Water Agency, and that's where we transferred the 1,000 staff and the \$200 million to get it started.

There is a whole lot more we did when we were in government to try to address some of the massive problems that we knew were there with water. That is why, when I watched—this is my background. I came into politics as an environmentalist, so I watch very carefully and I have some understanding of the issues and the implications. As I watched the deregulation and the staff cuts and the budget cuts, I knew we were in big trouble because I was very much aware of how much more we needed to do to protect our groundwater.

Again, if you read Hansard, you will see warnings from my leader, Howard Hampton, and from me and indeed, of course, from Eva Ligeti, the former Environmental Commissioner, who said repeatedly, "There are going to be tragedies if we don't do something about carry-on programs and make sure the money is there to help municipalities upgrade their systems." Well, this government did the exact opposite. They cancelled the annual funding—I forget how much it was, about \$143 million a year or something like that—and put in a three-year, one-time-only grant for municipalities, and then it ended; that was the end of it. That's what this government did, on top of cancelling so many other programs that had started. We were beginning to fix the problems.

I admit that those problems are monumental. We've been told it's going to cost at least \$9 billion to fix and upgrade our sewer and water systems across the province. That's a lot of money. That's why I'm outraged and enraged—I just got my \$200 cheque in the mail a couple

of days ago. I wasn't happy to get it. I recognize that there are some people out there who need money, especially lower-income people. If they qualify, it's money that's needed. But for most of us, if you asked me, if you asked most people, especially after Walkerton, if they had a choice, for the government to take that money and put it into a dedicated fund, when we know we need \$9 billion to upgrade our system—after people died as a result of drinking their water, wouldn't you say that would be a good way to spend that money?

But no, this money is going back with a nice little note from Ernie Eves, talking about how, "It's your money. You earned it. We have too much. You can have it back." Well, you have to put it in perspective. We have to think about the role of government in our lives. I watched the debate last night—it was interesting—between Al Gore and George W. Bush Jr in the US. I consider them both fairly right-wing, but there is a difference. The focus comes right down to smaller government. George Bush Jr was saying, "We need smaller government and Al Gore stands for bigger government. Big government is bad, and he doesn't trust you with your own money." That's the mantra of today.

However, I believe it's starting to go away. I don't believe that people are buying that any more, because they understand there's a big difference between wasting money—as we see right now in Ottawa. Waste has been revealed by the auditor there in the human resources area. Often there are situations where you find that governments waste money or use it in a political way. That should be revealed and should be stopped. But we should not confuse that with our taxpayers' money that is put there to protect the people of Ontario and to help the most vulnerable in our society. That is what has happened here and that's this government's excuse for everything they do: "These people, the NDP, want to take your money because they don't trust you with it."

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Two hundred dollars is not going to help the people of Walkerton. You can't take your \$200 and go out and buy a new sewer and water system in your community. It is our collective responsibility to make sure our vulnerable are supported and our health is protected and that we have laws in place to protect them. That's what this government has done: it has taken that away from us and is using incredible PR, good spins, making it sound like they're doing good things for the environment. That's what I find so dismaying about this, that after what happened in Walkerton we have a government stand up today and cynically, in my view, announce that they're bringing in great new laws that are going to help protect us, when all the evidence in front of us shows that these increased penalties just mean nothing. They mean nothing.

Again we see the minister responding on an ad hoc basis to criticisms over his own inadequate water regulations announced this past summer. We have a minister who's reacting to a crisis, and it's a crisis of their own doing, as I said before. There were programs in place,

that had been started, that this government cancelled, which in fact brought us back further than where we were before. So this is a crisis of their own doing, and now the government is introducing inadequate measures that will not protect the environment and the health of Ontarians. I'm offended that we're standing here today debating this bill when we know categorically—all the evidence is there—that it's just more smoke and mirrors to try to fool the people once again. That again is made clear in the leaked draft cabinet document that the NDP revealed in this House.

Instead of the minister, especially after Walkerton, sitting down and developing a comprehensive safe drinking water act, like the NDP's Bill 96, which this government shamefully put off public debate on—the government members stood up. I was so happy to see that government members were going to support my bill. As you know, the usual tradition in this place when a private member's bill passes is that it gets sent off to committee. The member stands up and says, "I don't want it to go to committee of the whole House," because we all know that's the end of it; it's a black hole and it disappears forever. I stood up and said, "I'd like this bill to go to the general government committee." The government stood up, forced a vote and voted it down. They wanted to have it both ways so that on the record it looks like, "Yes, we voted for it," but it was a cynical political ploy to vote for it but then vote against its going to committee, so public debate has been shut down. I just want the government to know that this is well known and they're going to hear about it out there in the communities.

Now the government with this bill, because this is not just about increased penalties, decides to tack on almost as an afterthought legislation on water. At the time that the government defeated public hearings on Bill 96, the Safe Drinking Water Act that I introduced—I just find it really outrageous that the government would play such a cynical political game after the deaths that are now up to seven people for sure in Walkerton. We have a government, after that, which knows there is a huge problem that needs to be dealt with, not just in Walkerton but across our province, and they play cheap political games. We see the spin doctors now with this bill. They're at it again. There's more public relations from this government. We have bits and pieces tagged on to this legislation for the protection of water, but it's not a solution to the water crises. The government, the minister and sometimes the Premier, stood up and said, "We don't need a safe drinking water act, because we just brought in these tough new regulations." I want to tell you what those who understand why we need a safe drinking water act in law, not just regulations, have said about this. The Toronto Environmental Alliance and the Canadian Environmental Law Association said this about the minister's new water regulations in a release they put out on August 8, 2000:

"The new regulation is only an interim step," stated Richard Lindgren, staff lawyer with the Canadian Environmental Law Association. "The new regulation does

not contain all of the safeguards needed to fully protect the quality and quantity of drinking water in Ontario."

"In our view, the new regulation does not displace the need for special drinking water legislation in Ontario," said Shelley Petrie of the Toronto Environmental Alliance. "In the wake of the Walkerton tragedy, we reasonably expected a far more substantive response from the Ontario government."

And here's what other environmental groups have said about what is needed in Ontario to ensure safe drinking water and the regulations that the minister introduced that he so proudly touts every time he's asked a question about this. Here's what's been said about it from experts in the field who know what they are talking about. You need to:

"Create a clear statutory right to clean and safe drinking water." My bill did that.

"Require the environment minister to create a water quality registry which compiles all water testing results from public water suppliers." My bill did that.

"Require the environment minister to publicly report on the state of Ontario's drinking water, to conduct research into drinking water matters, or to establish a special fund to provide financial assistance."

Let me interrupt myself for a moment on this, because when I asked the Minister of the Environment if he would support my safe drinking water bill, I think it was that section that he referred to as, "We don't need more red tape in Ontario." I don't think this is red tape after what happened in Walkerton and what we need for all the monumental problems we need to be dealing with over time, both with water taking, water quantity and water quality in this province.

We need "financial assistance to public water suppliers," which means that we need that partnership to be set up again which this government dismantled.

We need to "impose a mandatory duty upon public water suppliers to notify consumers if there are operational problems (ie, equipment breakdown) or testing delays or difficulties." My bill did that.

We need to "prohibit tampering with or degrading public water supplies or threatening or attempting to do so."

We need to "prohibit public water suppliers from providing drinking water that exceeds the maximum permitted levels for contaminants."

We need to "create citizen enforcement mechanisms to ensure compliance with the regulation."

"Create a statutory cause of action, allowing citizens to sue violators of the regulation; or impose a mandatory duty upon drinking water suppliers to assess the vulnerability of drinking water sources to contamination."

These are the kinds of things that experts in the field, who have been following the water policies and the problems in this province for a long time, are saying that we need. I and my staff worked very hard to make sure that we came up with a bill that was a good framework, that included these things. We recognized that it wasn't perfect for a private member's bill; we needed to have an

opportunity to take that bill out to committee hearings, to have government input, to have the environmental community input, to have input from the people from Walkerton, to have others, communities, involved so that we could have come up with the best safe drinking water act, not only in Canada, in all of North America.

Some of the components of this bill that I worked on were not just plucked out of the air. Some were original ideas that we came up with because we thought that we would need these components in the bill, but a lot of the information we got has already been developed in the US. The US just celebrated 25 years of having a safe drinking water bill there and you know why they brought it in? Not just regulations—a tough, safe drinking water bill—because 25 years ago they were having similar and very serious problems with their drinking water. They're celebrating 25 years. Ontario used to be the leader. As I said, successive governments kept bringing in new regulations, new guidelines, new policies to enhance and make our drinking water safer. It wasn't enough, but we were moving in that direction.

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What I wanted to do, especially, again, after Walkerton, although I was working on this bill before that tragedy happened, was to say that now is the time, that all of the hodgepodge of guidelines and regulations and policies are no longer adequate, particularly in light of the fact—and this is why I was so worried and so scared before Walkerton happened. When you have a government that cut the ministry by so much, 60%, operating and capital budgets combined, and up to 1,000 staff, I knew nobody was minding the store any more. I knew it was even more important than ever to bring in such a law to protect our drinking water. Of course, after what happened in Walkerton, it became increasingly clear that we had to do that.

It's only five minutes to 6, Mr Speaker.

The Deputy Speaker: We're not going to have time to finish your allotted time this afternoon. Unless you have a better time to do it, is this a good time to interrupt?

Ms Churley: I have a few more minutes. I think I have till 6 o'clock. I thought I would just finish this particular—

The Deputy Speaker: Your time will be reserved for another time.

Ms Churley: I thought I would just finish this thought and then end it here for today. Thank you very much.

Where was I? Instead of the government allowing this act to go ahead and bringing in a Safe Drinking Water

Act, sending it to committee so we could—something we could all have been proud of. The government could have been part of this. In fact, I would have been happy, in a case like this, if the government said, "We think this is a great idea. Do you mind if we take over the bill?" I would have said, "Yes, thank you very much. I'll do everything I can to support you in getting it passed."

Instead, what we have here today and what we're debating—the government is engaging in another public relations exercise. What is disheartening and what I find so cruel about this after what happened in Walkerton, after all the warnings and after all of the concerns that have been expressed not only about our water but about our air—and I'll get into that when I finish up, because I want to speak to that a little better—is that the minister and the government still do not get it. It takes far more than meaningless words from the Ontario government, far more than this bill, to protect our health and the environment. It just takes far more. It takes real laws. It takes real investments in people, and money. That's not what we're seeing today.

This bill is meaningless. It looks good, but when you actually look at the accompanying document, you see in fact that there are some real problems with the bill. I can't support it unless the government agrees to make amendments and to actually hire staff to make sure that people are—the minister is shocked. I think if the minister actually listened to what I had to say and paid attention to the concerns expressed in this bill—

Interjections.

Ms Churley: The government members think they know it all. That's part of the problem: they don't. That's part of the reason why—

Interjection.

Ms Churley: No. I would say to the members that I know a little bit about environmental protection and water protection, but I rely a lot on the experts. These guys don't. It's in your cabinet document. What you decided to do was come out with another spin doctor kind of law that isn't going to do anything. That is the reality. Don't just listen to me. I tell you that time and time again. I know you're cynical about my views, but listen to the other experts out there who are trying to tell you this as well.

The Deputy Speaker: Your time is up. That clock is slower than the one I go by.

It being almost 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1755.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Règlements et projets de loi privés**

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First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

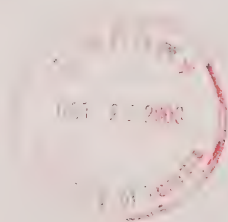
Première session, 37^e législature

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(Hansard)**

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des débats
(Hansard)**

Wednesday 18 October 2000

Mercredi 18 octobre 2000



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 October 2000

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 octobre 2000

The House met at 1845.

ORDERS OF THE DAY

SOCIAL HOUSING REFORM ACT, 2000

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

Resuming the debate adjourned on October 17, 2000, on the motion for second reading of Bill 128, An Act respecting social housing / Projet de loi 128, Loi concernant le logement social.

Mrs Marie Bountrogianni (Hamilton Mountain): I appreciate this opportunity to join in the debate on Bill 128. I will be sharing my time with the member from Elgin-Middlesex-London.

Of all the challenges that constituents bring to the office, I think this is the biggest one. There are times we can help our constituents. We write letters and ministers respond, sometimes positively; sometimes it's status quo. But in the social housing business it's always a sad story. You always have to tell them, two to three years' waiting, sometimes five, depending on their situation, and I understand in Toronto it's over 20 years on the waiting list.

The government's own Who Does What committee understood that downloading social housing on to municipalities was not a sustainable process. The municipal tax base can't handle the cost of social housing. In Hamilton-Wentworth, the business education taxes are among of the highest in the province, and when the downloading fully occurs, these taxes will increase even more. No new housing units will be created as a result of this deal, which is a shame for the many families who are waiting. I'll talk about some of those families in a moment. Even AMO was opposed. They were concerned about the property tax base. They were concerned about what this would do to property taxes for the future of municipalities.

It's fair to say we have a housing crisis. I understand the government's hypothesis was, "Let the private sector build units." This obviously didn't work. We need to look at different solutions.

I'd like to talk a little bit about my community and why social housing is such an important aspect of their day-to-day lives and why the lack of it is such an important challenge in their day-to-day lives.

Poverty in Hamilton is large. In fact, 28% of Hamilton's population lives in poverty; 24% of all women live in poverty and 52% of unattached women live in poverty; 25% of all immigrants; 26% of youth and 25% of all children aged zero to 14. A staggering 64% of lone-parent families live in poverty. In 1996 in Hamilton-Wentworth, the average total income of poor persons was \$9,463. I can't imagine trying to live on that amount of money, having children and having the added stress of looking for housing.

One of my constituents, Robert, has three children with his wife, Andrea. All three of them are under 10 years of age. Andrea is sick and is in and out of hospital. Robert is laid off and seeking employment. They were forced to move in with their parents, but because of this they received less social assistance. As a result, the parents and themselves have been evicted. They applied for subsidized housing and have made the homeless list, but the homeless list for them would be two to three years. The last time we spoke with them, they were in a motel paid for by Housing Help Centre for one week and their children were spread out among friends. They could not find housing because they are on social assistance and the places they apply to will not rent to them because of their low income.

Another constituent, Arlene, is a single parent with three children. Her sister is also a single parent with one child. They are living with their mother and father in a two-bedroom unit. They all came to my office. The children were very well cared for. In fact, this is such a conscientious parent that she still takes public transport to take her kids to the old school, even though it's not in her mother's neighbourhood, so that they can have consistency in their school life. One of those children is in senior kindergarten, which means she makes that trip many times a day, in the morning with all of them, at noon again to pick up the senior kindergarten one and then again at 3:30 to pick the rest up. Both Arlene and her sister have been actively searching for affordable housing for seven months. They want to reside together in order to save money on rent. They are told by prospective landlords that they are ineligible for three-bedroom units because they are two families, but they cannot afford a four-bedroom unit. The waiting list for subsidized housing, they have been told, is three to five years.

1850

Eleanor: she applied for housing in April 1999 with her husband. Her husband was on ODSP, and Eleanor

was looking after him. The forms were lost and had to be re-sent to Eleanor. In February 2000, her husband died. Her file had to be updated from two bedrooms to one, and this caused another delay in the bureaucracy. She subsequently phoned to check the status, and her files were lost again. She went to the office and resubmitted the form. She had to go on welfare and could no longer afford to pay the rent at her current residence. She had to move in with her daughter because she had no money.

As I said earlier, there are times when we can actually help our constituents, either through the honourable ministers or through our own creativity. My staff has tried to look for low-income housing for our constituents. We have those ads every day in our office. We try to use our personal contacts. One of my constituency assistants even resorted to wanting to take a family home with her. I wish we all had homes big enough for the people who are on the list in Hamilton. We don't. And although that would be a kind-hearted move on my staff's part, it would not solve the problem.

The problem is the dignity these people feel they no longer have because they don't have a roof over their heads for their children. They are doing all they can. My constituents moved in with their families when they didn't have a roof over their heads, but four adults and four children living in a two-bedroom unit is unheard of in this day and age. In a day and age when we have a surplus federally, when we've balanced our books provincially, surely something can be done for our most vulnerable.

Some recent statistics explain why the need for social housing is greater than ever. Poverty has increased for certain groups. Poverty for women is increasing at a much faster rate than for any other group in Canada. This rate becomes larger if you're a single woman, and even larger if you're a woman who has had domestic violence in her background. Women remain among the poorest of the poor in Canada. As Canada enters the 21st century, almost 20% of adult women live in poverty. What saddens me is that women's poverty no longer seems to be a high priority among policy-makers. When women grow up in poverty, so do their children, and that is something that should concern us greatly, because we are talking about our futures.

I've often used my own children as examples, and they are so lucky. They will have everything. They won't ever have to worry about housing. We'll even take care of that for them when they're older, God willing. But they won't ever be safe or happy if other children grow up without having a roof over their heads, with that anger that grows in them for not having the opportunities that my children have. Indeed, it will be a safety issue. So from a very selfish, maternal point of view, I want to see everyone's children have the same sort of opportunities that mine do.

Use by children of Hamilton food banks is up. It's one of those paradoxes. Unemployment is down in Hamilton, and I'm happy about that, but a lot of those jobs are very low-paying jobs. Again, a recent research study shows

that children who are poor are four times as likely to have health problems as children who are not poor, and are two times as likely to have asthma, which can be a deadly disease, particularly if you live in a polluted city.

It was extremely unfortunate and added insult to injury when the nutritional supplement for poor pregnant mothers was cut by this government, as well as the verbal insult of them "only spending it on beer, anyway."

You're kicking the poor, you're cleansing the poor, and that's a shame and an embarrassment to a rich country like Canada and a rich province like Ontario. It's just a shame and an embarrassment.

On September 20, a cross-sectoral group of women came to Queen's Park and asked for some emergency measures for domestic violence, for adding more services to the community so that women can get out of the cycle of poverty and violence. Unfortunately, the government would not sign on. I understand from an e-mail I received yesterday from Minister Johns's office that the minister may meet with this coalition this week.

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): Yesterday.

Mrs Bountrogianni: Wonderful.

Hon Mrs Johns: Which one?

Mrs Bountrogianni: The coalition that came on September 20, the cross-sectoral.

Hon Mrs Johns: I made an offer. I don't know if they're coming.

Mrs Bountrogianni: I appreciate that, and I'm sure the coalition will appreciate that.

Communication is the first step. Obviously, as critic for women's issues, that is the focus I have taken mostly on this, but I can tell you I have constituents from all groups coming to my office, and this is the one area that I cannot help them in. This is the one area in which every attempt has been futile. I hope this government realizes this and, regardless of the political implications, does the right thing.

The Deputy Speaker (Mr Bert Johnson): Further debate.

Mr Steve Peters (Elgin-Middlesex-London): Unfortunately, this government is not doing the right thing with this piece of legislation. This is the final nail in the coffin for municipalities in this province. I think about those of you on the government side of the Legislature, and I look at the former mayor, Brian Coburn. How can he stand there and face his former municipal colleagues, seeing this unprecedented downloading that has taken place; how can he stand up to municipal politicians and say everything is going to be all right? Because this is wrong. This is very wrong, the downloading that's taking place.

I'm going to quote from a social housing devolution study that was just introduced and presented to the city of St Thomas. There are some very good points in it. "It has long been a desire of municipalities to end funding of any income redistribution programs," ie general welfare, special assistance, supplementary aid, child care. These are not a function of the property tax base. These are

items that are properly handled and funded by the provincial government through income tax. It's unprecedented.

The government can stand here right now and say, "Everything's wonderful. The economy is going very well," but when the economy starts to take a downturn, the impact that you are downloading to the taxpayers in this province is unprecedented. It's a shameful act that this government has initiated to download to municipalities.

Municipalities aren't supposed to be in the housing business. They don't want to be in the housing business. But no, it's being rammed down their throats by this government, like so many different things that we have seen from a municipal standpoint that should not be at the municipal level.

The Liberal Party and our leader, Dalton McGuinty, are committed: we believe in putting people first. We believe in working with municipalities, not ramming things down a municipality's throat. That's what is happening here. This government can talk of leadership. There is no leadership on the government side, because the government is shirking its responsibilities, its duties to look after some of the most vulnerable citizens in this province. They're shirking those responsibilities and dropping them down to the municipal level.

You can read in Hansard where the Premier, Mike Harris, talked of how the private sector was going to be there to fill that void for subsidized housing in municipalities. In May 1999, a report was released called *Where's Home?* Do you know how many subsidized and new housing units have been built in my riding? Zero. Not a one. The private sector is not there to support those most vulnerable individuals in our society.

It's important, too, to understand that we need to look at the makeup of those individuals who use public housing in this province. I think there is a widely held misconception that most of the recipients of social housing in this province are recipients of Ontario Works or subsidized child care or other municipal or provincial support programs. That's a myth that needs to be corrected, and the record needs to be put straight. The majority of people using social housing in this province are seniors. The minister for seniors is in here tonight. Some 50% of the seniors who require housing are users of this housing, low-income recipients make up another 25%, and 25% of those who require supported housing are support recipients in this province.

I think I need to look at my own riding and at what is being downloaded to the municipality and what kind of burden it's going to put on the taxpayers of St Thomas and Elgin county, because the taxpayers of St Thomas and Elgin county have got together and recognized that, having these new things forced on them, they have to look at the best way to deliver service. Again, without having the province come in and say, "You will do it this way," the politicians of Elgin and St Thomas got together and, without having to have legislation passed, developed an agreement as to who's going to deliver services. Even

though they don't want to deliver these services that this government is unkindly dropping down into their laps, St Thomas and Elgin county are working together because they recognize that they have to in this day and age and in this time of a government that, with the stroke of a pen, is wiping municipalities off the map in this province.

1900

I think it's terrible, because the best government is local government. You as a government don't recognize that. How those of you from a municipal background can't recognize that—who's the best government out there? It's local government. Your government is just throwing it away.

You're downloading, but the problem is that you're downloading to the local government items that shouldn't be there on a property tax base, items that should be paid for by personal income tax in this province. Your government fails to recognize that.

Do you know what the burden is, the burden that you're dropping on to Elgin county and St Thomas alone? It's \$3.1 million. The member from Lambton is here tonight: \$2.5 million. The member from Perth, the Speaker in the chair tonight: \$1.9 million, just under \$2 million. Grey county—we've got the member here representing part of that riding: \$3.7 million. This is an astronomical amount of money that is being put on the property tax base of this province. It's totally wrong.

In southwestern Ontario alone, 10,000 units of housing that had been paid for and supported by the provincial government are now being put on the municipal tax base. That's wrong; that is totally wrong. If you look at this initial transfer that's taking place right now, 512 units in Elgin county alone are being downloaded.

Let's talk about some of those units. It's important to recognize that when the government decided they were going to download this, instead of doing a proper due diligence audit that would look at all the housing units that were being divested and downloaded to the municipal government—did they look at all the units across the province? No, they looked at 10% of the units. I would encourage you to come down and look at some of the units that have been downloaded. You're dealing with some cases—I can take you, as an example, to one set of housing units within the city of St Thomas, housing units that were built about 1950. You're dealing with houses that are 50 years old, houses that are going to require new roofs, new furnaces, new windows. But is there a financial commitment by this government? No, there is not. There is no financial commitment by this government to ensure—the perpetual care fund is not going to be administered by municipalities spread evenly across this province. This perpetual care fund is going to be administered by a board made up largely of individuals from Toronto—again, a Toronto-centred approach, a cookie-cutter approach for the rest of Ontario. This is an approach and an attitude that is doing drastic harm to municipalities in this province. It's really an unprecedented move to see what we have seen happen.

Is there support for this? Ask the municipalities of Ontario if they support this. No, they don't, because they know this is not the type of thing that should be funded from a property tax base in a municipality. This is something best funded by the province of Ontario. There has been no provision for, and a real concern, about what's going to happen to these capital costs, and a real concern for the lack of information by doing a due diligence audit that covers just 10% of the housing units. This is unprecedented, and it's really a dark day for Ontario.

As I said in the beginning, this is the final nail in the coffin for municipalities, to have to deal with this unprecedented downloading. This government, all of you and the minister responsible for housing—no, I can't say that.

Interjections: Go ahead.

Mr Peters: He's not here and he should be here. The minister should be here to listen—

The Deputy Speaker: That's right, you can't say it. I would ask you to withdraw it.

Mr Peters: I withdraw that the minister's not here, Speaker. It's unprecedented that the minister's not here to listen to this. This is unprecedented—oh, I withdraw again, Speaker, that the minister's not here. I withdraw the statement.

The government is shirking its responsibilities—

The Deputy Speaker: The member's time has expired.

Mr Wayne Wettlaufer (Kitchener Centre): On a point of order, Mr Speaker: The honourable member from Elgin-Middlesex-London knows full well, or maybe he should know full well, that it is totally improper to comment on the absence of a member when he knows that quite often the member has other duties away from the House.

The Deputy Speaker: That is a point of order, and I've already addressed it. Comments and questions?

Ms Shelley Martel (Nickel Belt): A two-minute response, Speaker. Let me begin by saying that although there are a number of problems with Bill 128, there are two very significant ones. The first is that the province, by off-loading social housing on to the municipalities, is in fact off-loading on to the property tax base. New Democrats don't believe the property tax base should be the funding source for social housing. That should come from the income tax stream. We're completely opposed to what is happening here with respect to the off-loading of the costs that we know will come for capital repairs of the public housing stock.

Second, and just as important, there is nothing in this bill, which is entitled An Act respecting social housing, that does anything to deal with the crisis we are having in affordable housing in Ontario right now. People who are watching here tonight don't have to believe me when I say that. They can just refer to a very interesting article that was written by John Ibbitson in the *Globe and Mail* about this issue a couple of weeks ago. People will know that Mr Ibbitson is certainly not a New Democrat. I don't

know if he votes for the Conservatives, but he generally is supportive of what the Mike Harris government has done. What does he say about what this government has done—frankly, has not done—with respect to ensuring that there is affordable housing for people in this province? The article was entitled "Admit it: Harris's strategy for housing a flop," and I'm quoting:

"Confronted with the utter failure of the Mike Harris administration's low-income housing strategy, it may be time for even the most idealistic conservative to admit that government has a responsibility to help house the poor"—even this government.

"Ontario Municipal Affairs Minister Tony Clement obliquely conceded this truth last week when he addressed several hundred members of the Ontario Home Builders' Association."

Tony Clement said that while apartments accounted for 15% of new housing in the United States last year, in the province the figure was less than 5%. In Toronto it was less than 1% and in Ottawa it was 0.7%. The whole thing's a flop and there's no point discussing it.

The Deputy Speaker: The member's time has expired.

Mr Brian Coburn (Ottawa-Orléans): Quite often when something new comes in and people don't understand it, they tend to lash out and create fear-mongering and make outlandish statements because they really don't understand what's going on. It's really a shame. There has been extensive consultation on this issue with the stakeholders over a lengthy period of time and there have been savings achieved. As a result of taking advantage and working with the local stakeholders, \$100 million was realized from that in how we streamline and make things more efficient. Back on January 1, 1998, that's when municipalities started paying for this.

When you talk about the condition of buildings—I don't know where you come from, but I sat on a local housing authority and the people who sit on that have worked with the ministry to make sure their buildings—that was one thing the locals really took seriously—were maintained in good shape. That has proved to be true when we've done an audit in terms of the condition of the buildings. It's borne out that they're better, in many cases, than they are in the private sector.

Just listen. "It's business as usual," a comment from Chair Dale Walker, the Victoria-Haliburton Housing Authority. "'We're not expecting any changes,' she explained after the province released a press release on Thursday."

"'From a tenant point of view, and they're the most important part here, things will stay the same,' says Jim Irwin, who's the housing manager in Victoria-Haliburton."

Just a little bulletin—sit up and pay attention—on capital reserves for non-profits: contributions to capital reserves were stopped from 1992 to 1997—over \$200 million. It was our government, our ministry that, in late 1997 and early 1998, made a one-time contribution of

\$172.5 million, and a contribution from the feds of \$31 million, to cap up poor decisions that were made pre-1995. I rest my case.

1910

Mr David Caplan (Don Valley East): First of all, I'd like to congratulate the member from Hamilton Mountain and the member from Elgin-Middlesex-London for their very astute comments about this piece of legislation.

I would say in relation to the comments from the member for Hamilton Mountain—and I'm glad we have the Minister of Citizenship; I know she has responsibility for seniors as well—the profile of tenants in social housing in Ontario is that 50% are seniors. You can imagine what effect allowing changes to asset requirements for eligibility for rent-geared-to-income subsidies is going to have on the low-income seniors who need housing support. I'm surprised that this minister has not stood in her place to protect and defend the interests of seniors. That, Madam Minister, is your responsibility. I would hope that we would have a responsible member of the Harris government, a member of the cabinet, stand up and protect the interests of seniors. As the member quite rightly pointed out, waiting lists are growing at just a phenomenal rate in every corner of this province.

The member from Elgin-Middlesex-London talked about the condition of the housing stock. Frankly, we don't know what it is, because the ministry has not done due diligence on the properties. They are relying on a 1998 sampling by IBI Group, a 10% sampling of 84,000 units. That is wholly inadequate. Your own ministry staff have told you that. I say to the parliamentary assistant, they acknowledge it; why won't this government? I tell you, it is reprehensible. It's a ticking time bomb. I know the member from Kitchener spoke. The mayor of Kitchener, Carl Zehr, has confirmed it is a ticking time bomb that you are downloading on to municipalities, on to municipal taxpayers, on to businesses in the local setting. It is absolutely an abdication of the responsibility of this government to do the kind of work it's supposed to do. It's unbelievable.

Interjections.

The Deputy Speaker: Order. We'll have one speaker at a time.

Mr Tony Martin (Sault Ste Marie): I want to commend the member from Elgin-Middlesex-London for the comments he made here this evening. I think they were quite appropriate.

Mr Garry J. Guzzo (Ottawa West-Nepean): Welcome back, Tony.

Mr Martin: Thank you very much. It's nice to be back.

This is yet another chapter in this government's failed housing policy. Thousands of tenants are suffering because this government stopped building social housing and gutted rent control. Instead of fixing the problem, Tony Clement is jeopardizing the social housing we have by downloading it to municipalities that just don't have the money to do a proper job.

It's interesting when you look at this bill in light of the debate we had here last night re the red tape bill that was supposed to make government more effective and cut out bureaucracy. This bill in fact, all 173 sections of it, adds endless bureaucracy. Instead of the province administering social housing, we've got the province watching over municipalities, which watch over housing providers—more layers of bureaucracy. In some cases, the province will police providers and tenants directly, if you can imagine. It's a big bureaucratic jumble. Everyone would have been better off if the province had kept control over social housing and continued to fund it. I suggest to you that as this piece of legislation rolls out, as municipalities begin to see what they have and this government begins to understand the mess they've created, this bureaucratic nightmare will only get worse.

You have a government here that prides itself on being effective and efficient in downsizing and streamlining government. I find it strange that, in this instance, in their rush to be politically correct where housing is concerned and to hammer home the social housing program that governments prior to them put in place, they are willing to in fact add more layers of bureaucracy and more layers of oversight to a ministry that was actually doing not a bad job to begin with.

The Deputy Speaker: The member for Elgin-Middlesex-London has two minutes to respond.

Mr Peters: First, I'd like to thank the member for Nickel Belt because I think she raised a very good point. There is a responsibility of government to help the poor and those with low incomes in this province, and that's a responsibility that lies in the hands of the provincial government.

I'd like to thank the member from Ottawa-Orléans for his comments. He made reference to consultations that took place and the sample that took place regarding the condition of the housing. Again we have another example of this government consulting, but with earplugs in their ears, consulting and not listening to what municipalities said. Municipalities made it very clear to the member from Ottawa-Orléans. The municipalities said, "No, we don't want this housing." This government likes to put on the mask that they're consulting, but they don't consult.

The member from Don Valley East points out that there are some real issues we need to deal with here, we need to look at. Who are the individuals this housing is being provided for? There are a lot of individuals in this province who need housing. He also very rightly points out that there's a severe shortage of housing that has been constructed, in particular since 1995 by this government, and we're seeing unprecedented waiting lists taking place.

I want to thank the member from Sault Ste Marie because I think he summed it up best. What we have here is the failed housing policy of the Mike Harris government. The Mike Harris government has failed the seniors of this province. They failed the low-income people of this province. There is no housing policy that has come out of this government. They have totally failed the

people of this province. I want to thank the member for making that point.

This legislation is wrong. It's wrong to do this. It's wrong to download to municipalities in this province.

The Deputy Speaker: Further debate?

Ms Martel: I appreciate the opportunity to participate in this debate. There's nowhere else I'd rather be on a Wednesday evening. I suspect we all feel the same.

The member from Elgin-Middlesex-London may not be so quick next time to thank me for my comments, because where I want to start tonight is actually with the federal Liberals.

Mr Peters: They're distant relatives.

Ms Martel: Listen, I've been here for a while and I remember who did what. I hate to say that the Conservatives were right when they spoke on Wednesday, but they were when they said the slide started with the federal Liberals, because that's exactly where the slide started with respect to social housing.

Look, my colleague Mr Marchese—and it's true he always gives a wonderful performance—last night made mention of the fact that in 1990 the federal Liberal government co-authored a report that talked about the need for a national strategy for housing. You will remember Paul Martin. He is now the finance minister at the federal level. I gather he gave away all kinds of tax cuts today. We must have an election coming. But I believe it was one Paul Martin in 1990 who worked with another member to co-author this report that said the national government, the federal government should be involved in the housing business, that the national government, the federal government had an important role to play in housing in this country.

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You know what? I agree with that. I agree with Paul Martin. So what the heck happened in 1993 when the federal Liberals were elected? As soon as the federal Liberals were elected, that was the end of that party. That was the end of that national strategy. In fact, what the federal Liberal government then began to do, as quickly as it possibly could, was to get itself out of housing in this country. Through a series of agreements negotiated with the provinces, negotiated with the territories, the federal Liberal government, of which one Paul Martin is a very significant member, got itself out of funding social housing in this country.

Maybe I could understand that if in fact there was a financial shortage in this country, if we had a shortage of dollars, if the federal government was experiencing a cash flow dilemma which did not allow them to participate in a meaningful way in building housing in this country. But that is not the case. Several economists, friends I assume of Paul Martin, last week met and said they believed the federal surplus will be in the order of \$121 billion, a lot of that off the backs of people who should qualify for EI and don't because of all the changes to criteria the federal Liberals made. But the point is that the federal government has the money to participate in a national housing program, and if it was good enough for

Paul Martin in 1990 to call for that, to co-author a report on that, then it should have been good enough for the federal Liberals in 1993, when they were elected, to do something about it. It's certainly good enough in the year 2000, with a potential federal surplus of \$121 billion, to do something intelligent, responsible, reasonable, workable for Canadians who need affordable housing.

I hate to say that there are some things on which I agree with the Conservatives with respect to this debate, but to their credit the Conservative members were right on Monday afternoon when they pointed out that this slide began with the federal Liberal government in Ottawa.

Now having said that, I disagree fundamentally with what the federal Liberals did and I disagree fundamentally with what the Ontario Conservatives are doing now, because I firmly believe that the federal and the provincial governments have an important role to play when it comes to housing for the poor in our province and in our country. I fundamentally believe that is an important principal role for both of these levels of government to play. I think they have an incredible responsibility in that regard because decent, affordable housing is a right for Canadians and Ontarians. It's not a luxury, it's a right.

The second thing I firmly believe, given that there is a role for them to play, is that they should not abdicate and download that role on to municipalities and hence on to the property tax base. It's wrong to fund social housing from the property tax base. It's the wrong thing to do. We are heading in the wrong direction when we demand of renters, homeowners and businesses to ante up to fund social housing. That is a responsibility properly assumed through the income tax system and that is the way it should remain. I'll make a few comments about that later on when I talk about my concern with the liability that the municipalities will now deal with when it comes to repairs for the capital stock, for the public housing stock in this province.

It's important to point out that at the same time as we have been dealing with Bill 119, an omnibus bill that the government says gets rid of duplication and red tape, in fact we have before us legislation which dramatically increases duplication, dramatically increases red tape, dramatically increases the bureaucracy and the levels of bureaucracy which will now be required to operate social housing in Ontario. My colleague from Sault Ste Marie said it well when he said that through the bill, instead of the province administering social housing—which I believe they have an overwhelming responsibility to do—we'll now be put in a position where the province will be watching over municipalities, which will be watching over housing providers, and we'll have a situation set up where we'll have the province also policing providers and policing tenants. We're not getting rid of duplication, we're not streamlining; we're adding another layer of bureaucracy, and we're certainly adding a lot of red tape with respect to who is policing whom with respect to what they do, where they do it and when they do it.

Just take a look, for example, at the sections that involve what the minister is responsible for in terms of providing permission to the municipalities to do different things with respect to social housing. Even though the administration of social housing is allegedly downloaded to municipalities, in fact through the bill there are a number of areas where it's very clear that the minister's permission is required by the municipalities or the social district board. I'll just give you an idea of what some of those are.

First of all, the minister's permission is required before a municipal service manager can, for example, establish a system allowing two or more housing providers to jointly renew mortgage financing. The minister's permission is required before a municipal service manager can do just about anything with the assets being transferred to them, especially if the minister imposed restrictions in the transfer order.

The minister's permission is required before a municipal service manager can do just about anything with respect to rent-geared-to-income subsidy administration, as the province will continue to make those rules. The minister's permission is required before a municipal service manager can determine eligibility for special needs-housing because, again, it's going to be the province that will make those rules.

The minister's permission is required with respect to a service manager when imposing requirements on housing providers. Those are the groups the municipalities watch over as they're being watched over by the provincial government. The reason for that is that the province has a long list of requirements that will be provided through regulation. These will be requirements of the housing providers, whoever they will be, because they're not named in this bill either.

Service managers can add their own requirements as long as they don't conflict with the provincial requirements. If the minister agrees, then they can enter into an agreement with the provider to substitute their own rules for the provincial ones.

Of course, the budget is going to be set for the providers as well. The province is devising a formula to determine what that will be, and we will find out about that at some point in the future, but again that's not in the bill.

In any number of areas and times the service manager, who is supposed to be the direct deliverer of the service, actually has to come back to the province, to the minister, for permission to do any number of things.

So it's really false of the government to say that this is a bill that will download the administrative responsibilities for social housing and it will end duplication and it will end red tape and it will give municipalities the flexibility they need to deliver housing services locally, because in fact there's a whole long list of requirements that those service providers have to get in the form of permission from the minister in order to do any of those things.

Frankly, it seems to me it's ridiculous to move in the direction we're going. Let the province continue to administer social housing. Let's not have such a truncated duplication of permission, responsibility, service delivery etc, because that's what we have in this bill. That's what we've got. We don't have the end to red tape at all; we've got even more layers of bureaucracy, more red tape than ever before.

I really am concerned about what the financial liability will be to municipalities as a result of the passage of this bill. I heard any number of Conservative members on Monday say that there had been broad consultation and there was general agreement about the direction in which the government was moving. I find it hard to believe, I really do, that the municipalities are oh, so enthusiastic and oh, so thrilled about having dumped on them the future liability for capital repairs of social housing. But the legislation is quite clear. Under section 46 it very clearly says, "A transferor"—the province of Ontario—"is not liable to any person for the state of repair of an asset transferred by a transfer order and is not liable to any person to fix such an asset, despite a requirement otherwise imposed by another act or a rule of law." So it's very clear that what municipalities get out of this is a financial liability for future repair.

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I heard one of the Conservative members try to say, "Oh, two independent studies had been done," that dealt with the condition of the capital stock and the budget to maintain the stock, and that those two independent studies that have been done for the government clearly showed that the condition of the capital stock was as good as or better than the stock in the private sector and that, secondly, there was more than enough money to deal with the repairs; that in fact, because of a government allocation of \$117 million, the assets were in wonderful shape, all \$1.7 billion of them.

You know, I don't think those independent studies have ever been publicly released. Maybe they have; I stand to be corrected this evening. I don't think they have. So I have some concern that maybe that's not all those studies say, and maybe they don't quite say that the condition of the housing stock is wonderful, and maybe they don't quite say that any investment that has been made has brought them up to a standard of repair that's not going to lead to, in the very short term, a significant financial liability to municipalities. I say that because Peel did a study with respect to this issue and the results from the Peel study are quite different from the independent studies that the government talks about.

The work in Peel revealed that municipalities were probably looking at a \$1-billion price tag with respect to future liabilities over the next 25 years. That's a significant liability. If I was a municipal councillor I'd be pretty worried about that kind of liability, because sooner or later, and in many cases it's probably going to be sooner than later, I'm going to have to go back to the municipal tax base, to the property taxpayers, renters,

businesses, to find the money to pay for that liability, to find the money to repair and renovate the housing stock.

Municipalities, which have already had ambulances downloaded on to them, child care downloaded on to them, 100% of public transit downloaded on to them, are going to be hard-pressed to find that money. They're not going to be very excited about going to renters and businesses and property taxpayers and asking for more money to improve the condition of public housing. What I'm afraid you're going to see is the public housing stock in this province deteriorate rapidly, significantly, and people who are in social housing, who usually are at the bottom end of the income scale, not having a decent roof over their heads any more because the local municipality just can't afford it and doesn't want to raise enough money to fix it. I think there is going to be an incredible financial liability and it's going to be the property taxpayers of this province who pick it up, and I think that's wrong.

One other thing I want to raise is what this bill doesn't do: that is to create affordable housing in the province. I said earlier that I think the federal government and the provincial government have a role and a responsibility to play with respect to ensuring that the poor in our province have a decent roof over their heads too, and both levels of government are abdicating that responsibility.

We know that this government's housing policy, if you can actually describe it as such, has been a dismal failure. We know, because the Minister of Municipal Affairs and Housing himself publicly admitted, only a few weeks ago, that in fact the private sector in this province has not stepped in to build affordable housing. The private sector has been missing in action when it comes to ensuring that the lowest-income earners in this province have decent, affordable housing too. The private sector isn't building in the affordable market. They're not interested in that, there's not enough money for them, and even the minister, several short weeks ago, had to publicly admit that when he was speaking before the gathering that I mentioned earlier.

We know that the government's Tenant Protection Act—and that's an oxymoron if there ever was one—has certainly created all kinds of hardships for renters in this province, because as those rental units become open, we are seeing again and again, in community after community, that the rent that was charged for those vacant units is now being jacked up. We've got incredible situations across this province in many communities where the vacancy rate is extremely low—frankly, non-existent—and all kinds of people, families included, are looking for a decent place to stay and can't find it.

I just want to go back to what John Ibbitson said, and he probably can't believe that he's been so quoted as he has in this debate, but he sure has, and I think that's because most people recognize that he generally supports the policies of the Progressive Conservative government. But he said it very clearly, and the title says it all: "Admit it: Harris's strategy for housing a flop." This is what

Tony Clement had to say to the Ontario Builders Association:

"While apartments accounted for 15% of new housing in the United States last year, Mr Clement acknowledged, in Ontario the figure was less than 5%. In Toronto the vacancy rate is 0.9%. In Ottawa it's 0.7. Hamilton clocks in at 1.9. Rents, in the meantime, are skyrocketing. Ever builders shake their heads as they tell stories of landlords in Toronto who have doubled their rents."

He closes by saying the following: "Whatever the solution, Mr Clement and his government should come clean: The Mike Harris strategy to revive the rental housing market failed"—absolutely and utterly failed. "New measures are required. The private sector is not up to the job.

"It's a bitter lesson but there's no point in ducking it."

We see that even someone who's usually supportive of the government recognizes the housing strategy for what it is: a complete failure. The sad reality is this bill does nothing to address that, and frankly this bill is going to make things worse for people who live in public housing because as that stock deteriorates, there will be no one to protect it.

The Deputy Speaker: The member's time has expired. Comments and questions?

Mr Coburn: I just want to address a couple of concerns that the member for Nickel Belt has. Just to set the record straight—maybe she didn't get the right information, I don't know, but this should help her out—in 1998, the IBI study was released to municipalities, and the draft report from KPMG, the 2000, is being translated right now and should be released in the next short while. But more important—this is for members opposite—the Peel Living Study has just been completed. That's something that will be released over probably the next few days.

Keith Ward has confirmed to our staff that our two studies are accurate, reassuring good conditions of public housing. So you should be going like this. You don't have to worry about that any more. We do have that under control, as did the local housing authorities. They did take great pride in maintaining the quality of the housing units, as did the ministry. That has been documented over the years. It's virtually impossible for something to get out of whack, given the regulations.

I just want to point out the initiatives that our government has taken, that the minister has taken, because the job isn't done in terms of creating more affordable housing. Some of the steps that we have taken are: rent controls have been replaced by the Tenant Protection Act, which encourages investment in rental housing; allowing landlords to set market rents in vacant units. The Ontario building code was amended to encourage the development of single-room occupancies. The PST rebate program provides a grant of \$2,000 per affordable unit. It offsets the impact of the provincial sales tax.

More importantly, a new initiative, and the minister recognizes there's more work to be done—

The Deputy Speaker: The member's time has expired. Comments and questions?

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Mr Dwight Duncan (Windsor-St Clair): I am pleased to have the opportunity to respond to the member for Nickel Belt. I will be joining the debate in a more complete fashion later in the session.

First of all, the member is quite accurate in pointing out the shortcomings the Conservative government has in housing. She echoed the views that were expressed by my colleague from Elgin, Mr Peters, whose experience at the municipal level I think is unparalleled in this Legislature.

I can tell you that in my community the waiting list for affordable housing is close to a two-year backlog right now. There has been no new development of affordable housing. In our community we are somewhat more fortunate than, say, Toronto or Ottawa. New homes are still being built at a relatively affordable cost for an average Ontario family. They can afford to buy a new house. But we're not dealing with those people who can't afford to buy a new house.

This bill is odious in the sense that, as was pointed out by the member for Nickel Belt, it pushes more costs on to the municipalities, on to the property tax base, where, simply put, housing cannot be developed. The property tax base, over time, will not sustain that type of development.

Mr Caplan: Even David Crombie said so.

Mr Duncan: Yes, David Crombie said that. David Crombie is a Conservative former mayor of Toronto.

We're very troubled by this whole exercise. I remember when the government did its whole Who Does What initiative back in January 1997. They laid out this new vision for Ontario and then they promptly changed it, probably a dozen times, before there were any legislative changes. I urge the government to withdraw this bill. Consider the comments of the member for Nickel Belt and the others who have so eloquently urged you to reconsider these very important matters.

Mr Martin: I want to commend the member for Nickel Belt. I know my good friend from Scarborough-Rouge River will agree with me when I say that she knows of what she speaks. She has been in this place a long time now and has a lot of experience. She says that this is the wrong end of a slippery slope and that at the end of the day what we're going to experience in this province is a real disaster. It will be a disaster for everybody: the federal government, the provincial government and the municipal governments, but more importantly, it will be a disaster for those people out there who are looking for affordable housing who can't get it at the moment.

She rightly points to some of the comments made by some of the folks out there who know, because they've watched this evolution over some time now. She also understands what it means to have a government in place in this province that believes in social housing, that believes in the responsibility that governments have to

make sure the folks they govern on behalf of have what they need in some very basic and fundamental ways in order to get out there and make a living. One of those things is a safe, affordable home they can go to and feel confident it will be there for them in the long haul.

Looking at the community of Sault Ste Marie, I know the great array of social housing that went up in that community during the years from 1990 to 1995: at least four new units of co-op housing. Some criticism has been made by the government across the way of some of these housing projects being boondoggles. In my community I know those housing projects were led by very reputable volunteer organizations such as the Knight of Columbus, the Italian association and the list goes on and on.

What this government is doing is kowtowing to their friends and benefactors again, and it will come back to haunt them.

Mr Wettlaufer: It must be a full moon tonight, with the comments that are being made here. I listened to them—

Interjections.

Mr Wettlaufer: Listen to the cackling here. A bunch of chickens, that's what you guys are. Whenever anybody stands up to preach facts, you immediately start cackling. I love it. You're great.

Interjection: Chicken little.

Mr Wettlaufer: The Chicken Little party. Anyway there has to be a full moon because of all the horror stories.

Aren't these the same people who said they were going to spend their way out of recession? In the meantime they built annual deficits of \$11 billion. Aren't these the same people who said we would not create an environment in which there would be 725,000 jobs at the end of four years? Lo and behold, in four years there were 768,000 net new jobs. Aren't these the same people who said we would have a reduction in income, a reduction of revenue for the province of Ontario because of our tax cuts? It would be horrendous. We were going to cause a recession. We were going to do all kinds of terrible things and now they're saying we've created a boondoggle.

These are the same people who made us the largest landlord—the second largest; I take that back—in all of North America: a billion dollars in housing assets. The government of Ontario the second largest landlord? Come on, get off it. What business has a government the size of the government of Ontario being in housing? A billion dollars, and while we were building up that billion dollars of assets, we were creating more at a cost of \$120 a square foot, much larger than any private enterprise builder could afford. We were spending taxpayers' money foolishly. Your parties were—

The Deputy Speaker: The member's time has expired. The member for Nickel Belt has two minutes to respond.

Ms Martel: The last speaker asks, what reason should we have to have the government involved in public housing? If he only had a clue about what was going on

out there. The reason government has to be involved is that the private sector is not interested in building affordable housing for people. Even your own minister, Mr Clement, had to go to the Ontario Home Builders' Association several weeks ago and say that.

Despite the list your colleague read out with respect to things your government has done, it's very clear, painfully clear, that your friends in the private sector just aren't interested in providing housing for the poor. They're much more interested in providing housing for the rich and famous where they can make a big profit. That's why the provincial government and the federal government have a reason, and I dare say a responsibility, as governments to ensure that, yes, even the poor, who you people don't like very much, should have a chance to have decent housing. That's why government should be involved.

I pity the poor tenants. I listened to the former mayor say that the government's job isn't done with respect to affordable housing. My god, tenants better be worried, because if you're going to do more on affordable housing there'll be even more families in the shelters and even more families on the streets. Your Tenant Protection Act, your gutting of rent control, has meant there are even more families, more people living in shelters.

If you guys have more ideas about affordable housing, then tenants out there should be awfully concerned, because what it's going to mean is even less affordable housing, with people paying more of their income on outrageous rents and more people without housing in the province. That's what that means.

Interjections.

The Deputy Speaker: I think we have time for everyone to speak but it has to be, according to the rules here, one at a time. I'd ask you to govern yourselves accordingly.

Interjections.

The Deputy Speaker: Order. We'll kind of take turns. It's my job to ensure that. If you don't want to restrain yourselves, then I'll help you.

Further debate?

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Mr Marcel Beaubien (Lambton-Kent-Middlesex): Mr Speaker, thank you for the opportunity to speak on Bill 128, the Social Housing Reform Act. I know debate has been somewhat heated tonight, and I would like to take this opportunity, on behalf of the House, to wish you a happy birthday.

Interjections: Happy birthday.

Mr Beaubien: As you're aware, when our government came to power in 1995, we promised the taxpayers of Ontario that we would put an end to the social housing boondoggle. Why do I say "boondoggle?" I'm going to touch on that a little further along in the discussion.

First of all, I would like to recognize that I agree with the member from Nickel Belt when she says the poor deserve a decent roof over their heads. Not only do I agree with that, but so does the Mike Harris government.

We believe that. But the way we were going, the direction in which we were going, I don't think we could have done that. We weren't able to provide it, and look at the condition in which we left the province.

I think one of my colleagues mentioned the cost of building. If we look at what happened with social housing between 1990 and 1995, where were we spending the money? We were spending it on lobbyists, consultants and your friends with the placards, to the point where in my riding, in my community, we were spending \$110,000 a unit, when the private sector could do it for \$50,000 a unit, and then we talk about the lack of housing. If we had been responsible in those years in providing adequate, affordable housing instead of spending \$110,000 per unit, it would have made an awful lot of sense to provide two units for \$110,000.

The Deputy Speaker: I recognize the member for Don Valley East on a point of order.

Mr Caplan: No, no.

The Deputy Speaker: I'm sorry. If you stand up at your desk and talk, I assume you want the floor.

Interjection: Keep the clock running, Speaker.

The Deputy Speaker: I apologize. If you're going somewhere, fine; if not—

Interjections.

The Deputy Speaker: Order. I don't need any help here, and you're kind of robbing the honourable member from Lambton-Kent-Middlesex.

Mr Beaubien: I'd like to mention that I will be sharing my time with the member from Scarborough. I should have said that at the beginning. Furthermore, I thank you for correcting me, Speaker. It goes to show that none of us is perfect. We do make mistakes. I've got the wrong birthday tonight.

I think we have to go back to where we were, that the cost of providing social housing was out of control. We had a multitude of programs, there was no coordination and people who should have been housed were left out. I think there are all kinds of examples.

I sympathize with the individuals whose plight and whose cases the member from Hamilton Mountain brought up tonight. But we know that in many cases when we're talking about co-op and non-profit housing, the people who were moving into those units were not the poor and the people who deserved the housing. You know that, member from Nickel Belt. You're well aware of that. You initiated many programs that put people into subsidized housing who were making \$50,000, \$60,000 and \$70,000 a year. That is not the basis of subsidized housing. The province has taken every precaution to make sure tenants are protected throughout the transfer and beyond the transfer.

The member from Elgin-Middlesex-London talked about downloading and efficient government. I concur with him when he says municipal governments provide a very efficient, responsible level of government. I agree with that. We know we have a boondoggle at the provincial level, member from Elgin-Middlesex-London, and if anybody can rectify the problem and manage the

problem properly, it's the municipalities. That's why it's being passed on to them. They're responsible and they'll be accountable.

When you mention downloading costs of \$3.1 million and \$2.7 million to some counties, you never mentioned the other side of the equation, that municipalities will not be stuck with the educational portion of taxes on those properties. You, as a former mayor, know that the large majority of complaints you received in your office on a daily basis dealt with the educational levy. That is a reality. That is something you can't deny. How do I know that? Because I myself spent nine years heading a small community, and we got the complaints.

As some previous speakers mentioned, we did put in an advisory council in 1997 and 1998 to make recommendations to the government. To suggest the government is transferring social housing to municipalities in a haphazard manner is short of the truth. Furthermore, some members have touched on the study that was done by independent consultants with regard to the housing stock we have in Ontario. I can't speak for the 84,000 or 120,000 units we have in the province, but I know that in the riding of Lambton-Kent-Middlesex the social housing stock is in very good condition today. Some of it is fairly new and some of it is older, but it's been well maintained over the years by the housing authority, by the non-profit organization and by the co-op organizations. By suggesting this housing is not in good condition, I think we're again shortchanging the taxpayers of Ontario.

The member from Nickel Belt also mentioned the condition of the housing. If the condition of the housing is as bad as you suggest, are you suggesting we have an awful lot of people living in public slums today? Is that what you're suggesting?

Mr Caplan: Yes.

Mr Beaubien: It seems to me that's where you're going with that debate. Let me tell you that in the town of Petrolia, we have a complex called Mid Valley Apartments. It's a 29-unit complex that was built in 1984 at a cost of \$1.1 million. That's about \$40,000 a unit, or pretty close, if my math is correct. Some of the units are geared to income. I think 11 or 12 units are geared to income. This building is 16 years old, and I challenge each and every one of you to come down to Petrolia and have a look at this housing stock. We're proud of that. It's people like the Maxine Fiddicks of the world, the Janet Bradleys of the world, the Charles Fairbanks of the world and the Graham Dannels of the world—the board members of this particular complex—who make sure the people who are housed in this complex are well housed.

Interjection.

Mr Beaubien: Who looks after that? Volunteers. They're responsible to the people locally. They're accountable.

Also in this complex we have a very dedicated property supervisor by the name of Todd Fiddick, who takes pride in his work. By downloading social housing, that will continue to happen. To try to shortchange the people by fearmongering and saying, "Everything's go-

ing to fall apart, the roof is going to fall in, the walls are going to fall over," is not being fair to the taxpayers of this province.

Do we have occasional problems with social housing today? Of course we do. Are we going to have occasional problems with social housing in the future? You bet we are. But I know the volunteers and the municipalities are very well equipped to deal with them.

In closing, because I'm running out of time, this bill before the Legislature tonight puts a vital service in the hands of those best equipped to deliver the service. I know it's difficult for the opposition to accept that fact, but I'm glad to see that the member from Elgin-Middlesex-London recognized it when he said the best-equipped people to deliver their services are the people at the municipal level. I totally concur with you. You're 150% correct on that.

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As I previously said, will it be perfect? No. Will there be problems? Yes. We'll deal with the problems. As I said in my opening statement, I made a mistake when I wished the Speaker a happy birthday. For some reason, we do make mistakes.

But the people at the municipal level—I want to emphasize—are better positioned to respond to the needs and to maintain the social housing stock in this province.

Ms Marilyn Mushinski (Scarborough Centre): It gives me great pleasure to rise to speak to Bill 128, the Social Housing Reform Act. I think we need to just go over a little bit of history. I've heard a lot of discussion about this bill this evening as if somehow it's come about out of the blue, as a complete surprise. The Social Housing Reform Act was developed as a direct result of the Who Does What exercise that was carried out in 1997, and I really wonder where members from the opposite benches have been all this time. What the Mike Harris government is doing is exactly what it said it was going to do, which was restructure the allocation of costs and responsibilities for serving the citizens of Ontario at both the provincial and municipal levels.

I was a councillor on the wonderful council of Scarborough for 12 years. It was very interesting that my colleague from Samia-Lambton mentioned the education portion of the property tax bill, because I can recall when I was a councillor my council being very responsible in terms of the tax rate, the mill rate and keeping the lid on taxes, while the local school board in 10 years increased taxes by 120% while enrolment only increased by 16%. Certainly one part of this whole restructuring exercise was, indeed, to start to capture some control of those runaway costs of education that were being imposed by unaccountable school trustees.

Specifically, this legislation fulfils the January 1997 local service realignment commitment to transfer responsibility for social housing to the municipalities.

Interjection.

Ms Mushinski: If the member from Don Valley East would stop yapping for a moment, perhaps he would learn a little something from what I'm about to say.

As you know, the municipalities have been paying for the costs of social housing since January 1998. This legislation will give the municipalities the say for pay, which is something they've been asking for and, most certainly, something they've been expecting. The province has direct control of public housing ownership, management and administration. What this bill will do is make it easier to transfer this portfolio to the municipalities.

Non-profit and co-operative housing programs will be harmonized and streamlined before they are transferred. This staged transfer will allow service managers to develop the necessary skills, experience and capacity to assume responsibility for administration of the rest of the social housing portfolio.

There are three key benefits to this legislation. First, it puts a local service back into the hands of the community so that it will more effectively reflect local needs. Second, municipal authorities can more effectively integrate this service with other locally delivered social services, so that their clients can be better and more efficiently served. Third, the responsibility for bricks and mortar will be in the hands of local governments, where it more appropriately belongs.

In fact, when I was a councillor in Scarborough, to protect the interests of those who lived in rental accommodation, the local council developed one of the most comprehensive and tough property standards by-laws in the land to protect the interests of those very people living in those buildings.

Recommendations for program streamlining and devolution were developed with extensive input from a stakeholders advisory committee. There were three working groups, a social housing committee and a municipal reference group. That has been alluded to by my colleague Mr Coburn, the parliamentary assistant to the minister. The decision to hold committee hearings on this legislation will be made by the House leaders.

The government is actively working to find ways to increase the supply of social housing in Ontario. It is trying to get other provinces and levels of government to deal with the decline of private sector construction of affordable housing, something we recognize is a serious issue. It is also encouraging the industry to get back into the business of building affordable housing. In fact, I myself met with a group of landowners in the city centre area who want to bring on-stream over 4,000 new units right within my own riding of Scarborough Centre. The challenge has been some impediments by local government, and that's one of the things we're working on in terms of speeding up the process and making it more effective. Because as a colleague of mine has suggested, although it's a foreign notion to many people on the other side, there is also a trickle-down impact on the price of affordability. I think it's important that we work together to try to recognize what those barriers to creating more affordability are.

The housing supply working group will identify rental housing supply problems and solutions for Ontario, with

an emphasis, most certainly, on affordable rental housing. It will also recommend a comprehensive strategy for further improvements to the investment climate for new rental housing in Ontario.

Staff from the Ministry of Municipal Affairs and Housing have been carrying out extensive consultation with groups representing sector organizations such as AMO—

Interjection.

Ms Mushinski: AMO? You'd be aware of that, John—the Ontario Non-Profit Housing Association and the Co-operative Housing Federation, as well as a reference group of municipal representatives. Representatives from stakeholder groups are actively involved in ministry work teams to assist in reforming social housing programs and developing guidelines to assist service managers to structure their operations to assume the administration of their social housing portfolios. Finally, a joint municipal-provincial working group on financial testing and access to Ontario Works, child care and social housing was formed with AMO and the Ontario Municipal Social Services Association, as well as the Ministry of Community and Social Services.

This legislation will leave the eligibility rules for social housing essentially intact. All households in need will remain eligible to apply for social housing, regardless of where they live in this province. That's something you don't hear, again, from the other side. Access to special needs housing will function in a similar manner, but will be coordinated by the special needs housing access system.

Finally, protecting social housing tenants is the government's key priority. Tenants will not lose their homes. Their tenure is secure. Geared-to-income rents will continue to be set at 30% of income. But the housing providers should become more responsive to their needs and only those who truly require assisted housing will be residing in assisted housing.

This sounds like a win-win to me. I thank you for giving me the opportunity to speak.

The Acting Speaker (Mr Tony Martin): Comments or questions?

2010

Mr John Gerretsen (Kingston and the Islands): Let me first of all say that I concur with some of the comments that were made by the member from Lambton. I know there were abuses in the social housing program of this province back in the early 1990s and perhaps before that. I was involved with a number of organizations, and they were put through all sorts of hoops to come up with needs studies, to come up with consultants, to come up with this, that or the other thing—money that should have gone up to the bricks and mortar, thereby making the projects less expensive and incurring less carrying costs.

The answer to all of those problems—and there were some problems—isn't to say, "Let's just get rid of all the social housing. We're just not going to build any more. It's no longer our responsibility." And that is exactly

what your government did. One of the first things you did in 1995 was to cancel 17,000 non-profit housing units that had been approved. There would have been nothing wrong for you to have said, "Look, these projects are too expensive. Let's see how we can modify them and bring them into a lower-cost housing where the kind of fees that are paid won't be as exorbitant as they were before."

But you've completely abdicated your responsibility. Over the last five years there hasn't been one public housing unit built in this province and not one social housing unit built in this province. As a result of that, the waiting lists of the housing providers across this province have just grown at a tremendously rapid rate. The people who need the housing haven't been getting any of that housing over the last five years. That problem is just getting worse and worse while you're doing nothing.

Ms Martel: I think it's worth making a couple of observations. First, I listened to the member for Lambton-Kent-Middlesex talk about people who were making \$50,000, \$60,000 and \$70,000 a year living in non-profits. I go to the experience of the not-for-profit seniors' complex that was built in my hometown during our government, and I've got to tell you—because I know the people who live there—none of them are making \$50,000, \$60,000 or \$70,000. None.

Second, we might as well be frank and say that it wouldn't have mattered what the controls may or may not have been with respect to non-profit co-op housing. Philosophically your party would much prefer to give a shelter allowance to a private landlord than to have the capital stock owned by the public. That's a fact and we might as well admit it.

If you really were interested in the units that had been already approved, which would have increased dramatically decent, affordable housing that people needed, then you could have tightened the controls if you thought they were too loose. You just cancelled them.

It has to be said. You'd rather see us giving shelter allowances that we give to social assistance recipients go into the pockets of private landlords than to invest in public housing stock itself. That's the difference.

I heard the member for Scarborough Centre say her government is trying to encourage the private sector to build more social housing. My God, what a tremendous disaster your housing policies have been for the last five years—a complete and utter disaster.

I remember that when the former Minister of Municipal Affairs and Housing, one Mr Leach, passed the Tenant Protection Act, he said thousands of affordable units were going to be built as a result of the passage of the bill. Nothing has happened. It's been a complete failure.

Mr Coburn: I want to go back to one of the comments one of the members opposite made when they talked about creating 47 consolidated municipal service managers. They're there; they're not being created because of this. We're taking advantage of that infrastructure that's there so the local authorities can integrate

social service policies such as Ontario Works and child care, so that they can maximize their efficiencies.

Because many of us in this House have been in municipal politics, we recognize how innovative municipal politicians and volunteers can be. That's what's happening in my community and in many of your communities. They have an opportunity now to manage and adapt to the intricacies of their own community and to take advantage of some of the economies of scale that are there.

One of the things I want to point out is that our staff has worked shoulder to shoulder with many of these people in the local housing authorities over the last 36 months, and even more, in improving efficiencies. The \$100 million that was saved is a number that more than satisfies—

Interjection.

Mr Coburn: No, it's \$100 million that has been saved because of economies of scale and redoing the mortgages. We took advantage of that and other streamlining of some of the programs. I'm sure the member for Kingston and The Islands would recognize that from his former capacity as a municipal politician.

But the province still has not backed away from its responsibilities. The provincial standards ensure there is compliance with the terms of the federal-provincial social housing agreement, that the municipalities continue to provide assistance to the same number of rent-geared-to-income households and those receiving assistance at the time of the administration's evolution. Province-wide rules and eligibility and benefit levels are maintained. Rents geared to income continue to be set at 30%. Municipalities report on a regular basis to ensure the provincial and public standards are being met.

Mr Caplan: I'd like to comment on the speeches by the member for Scarborough Centre. Frankly, the member really doesn't have any idea what she's talking about. David Crombie, their own expert, and Joyce Trimmer, who did it before when the Harris Conservatives were seeking to become the government, all said not to do this, so that's certainly not the case.

I'd like to address the comments of the member for Lambton-Kent-Middlesex. I think he made fair comments about the record of our previous government. While that's true, that doesn't mean that the provision of housing is not a provincial responsibility. If it wasn't done correctly, you don't throw the baby out with the bathwater.

He also said there are people in housing earning \$50,000, \$60,000 or \$70,000, people who, in his words, don't deserve to be there. That is a myth; it is a common misconception. People earning any kind of threshold like that pay market rent. In fact, if you want to go back to the warehousing of the poor, if you want to create Regent Parks or Jane-Finches, which are mistakes, that's what you're doing with this legislation. When communities are created through non-profit housing, through co-op housing, you have a mixed community. Not everyone is on

social assistance, not everyone needs child care. You have a complete community. It works and it works well.

The last comment about what the housing providers do: yes, the boards do a great job. Read section 88 of the bill. It talks about duties of housing providers. They lose management of their reserves. It is in the bill. They also lose the ability to choose their property manager. That is in the bill, clause 88(2)(c). They lose the opportunity to manage those well-run community housing projects like you were taking about.

The Acting Speaker: Response?

Mr Beaubien: First of all, I would like to thank the member for Kingston and The Islands—we don't always agree, but he's a very reasonable man—and the members for Scarborough Centre, Nickel Belt, Ottawa-Orléans, and Don Valley East for their comments.

There is no doubt that whenever you introduce a bill, especially a social bill, you're going to have different political ideology and you're going to have different personal opinions. But we're all trying to do the same thing: we're all trying to serve the people, our constituents.

There is no doubt that there is a financial responsibility on the part of provincial, federal and municipal governments. But if we look at what was going on in 1990—and the facts are there—in my riding we were spending \$110,000 to \$115,000 for a unit that the private sector could build for \$50,000. That's not fair. That's not being responsible to the taxpayers.

In the end, I hear the member for Nickel Belt say, "Yes, but every poor person deserves a roof over their head." Of course they do. But you're forgetting about the poor when you're spending \$110,000 a unit when you should be spending \$50,000.

Furthermore, look at the legacy we've left to some of these people. In 1995 that government was spending \$1 million an hour more than they were taking in. And we care about the poor, we care about the elderly, we care about the disadvantaged? What legacy are we leaving to the young people of this province? Who is going to pay the freight at the end of the day? Where is the responsibility? Is that what you call accountability? If it is, we're certainly not on the same wavelength.

2020

The Acting Speaker: Further debate?

Mr Gerretsen: I'm very pleased to join this debate. In one way or another, I suppose, I've been involved in this scene for about 30 years: in municipal non-profit, private non-profit, and a number of other ways as well. As a matter of fact, I'm still involved with a non-profit project, but not a provincially managed non-profit project. I want to make that quite clear.

There are really two different issues that we're talking about here. The first issue is whether or not the province and the federal government should be involved in housing. The second issue is, what should happen to the current housing stock? On that issue I totally agree with the member from Scarborough, and I don't agree with her very often. The government made a decision back in

1997 that the public and social housing stock of this province was going to be downloaded on to the local municipalities. I don't agree with that decision. That's a decision they made. I respect that decision. Sure, since then they've been talking to the various housing providers to see that the transition is going to take place in a reasonable fashion. But don't for a moment let us allow the government to leave the impression that the social housing providers of this province or the housing authorities of this province, the public housing providers, want that transfer to take place. They don't want it. They certainly don't want it downloaded to local municipalities, because they know that most local municipalities and local councillors are going to have interests much different from that of providing housing. They've got interests with respect to dealing with their infrastructure, dealing with their many other social problems. I can tell you from past experience that housing, unfortunately, is usually at the low end of the totem pole as far as municipal councils and councillors are concerned. I don't think too many people are going to disagree with me on that, even on the other side of the House.

Having said that, why aren't the other two levels of government involved any more in the social housing system? There was a press conference held here about a year ago. It was attended by a former federal Minister of Housing, Alan Redway, a former provincial Minister of Housing, John Sweeney, and a former mayor of Ottawa, Marion Dewar. They are three individuals for whom I have the highest regard, three individuals who are interested in providing adequate, good housing for the people of this province, three individuals who represent three different political parties. It's always been my impression in dealing with this situation over the last 30 years that housing issues bring people together from all political perspectives. So when I hear a member opposite saying, "That's no good because that was a Liberal idea," or, "That's no good because that was an NDP idea," or, "It's good because it was a Tory idea," I want to completely disassociate myself from that. It's been my experience that people who are truly interested in the social housing situation in this province come from all political perspectives. I think that right now what's happening, both federally and provincially, whereby both the senior levels of government are saying, "We are no longer in the housing business," is wrong, wrong, wrong.

There may very well be a need for different housing projects than we've had in the past. I agree with the member from Lambton that there were a number of very serious abuses in the non-profit housing allocation system, in the construction costs system. I was on the Ontario Housing Corp board for six years, three years as its president, back in 1989-92. We dealt only with the public housing stock of this province. We didn't deal with the allocation of new, non-profit housing organizations. But I do know from the chit-chat I used to hear around in those days that some of the things that were happening just weren't right, and there should be improvements in that. But this government and,

indirectly, the federal government have basically said, "We're no longer in the housing business and it's just too bad for the people at the lower end of the economic scale if they haven't got housing."

All of the other programs that have been brought in—we heard earlier that, according to Minister Leach's idea of a couple of years ago, the new rent control legislation was going to provide more housing because it was going to bring private sector people into the game. The result was that in all of 1998—and these are the government's own statistics—only 2% of the housing starts across this province were apartments. Some 16,000 new units were needed, according to CMHC's own estimates, and they came up with something like 2,000 units in that particular year.

I would implore this government and the backbench members here—you know, there are some innovative housing schemes. I can remember being involved back in the late 1970s when a previous Conservative government gave to every new homeowner \$500 for two years, I believe it was, or it may even have been three years, as help towards a down payment on a house. You know what we did in the Kingston area, in the organization that I was then involved with, which was Kingcole Homes Inc? That was an organization that was set up to provide housing for people who didn't even meet the requirements of the local housing authority. What we ended up doing was building houses for these people using CMHC money, and their down payment came from an assignment of these \$500 cheques for three years. As a result of that, 20 families moved into housing who never otherwise would have been in housing. Many of these people later on were able to use the equity they built up in order to buy another house somewhere else. I'm very pleased to report that even right to this day about six or seven of those families out of the 20 ended up living in single-family bungalows just like most of the other people in this province. That was done as a result of innovative government initiatives with local private, non-profit boards. We have to get back to that.

I know we can never go back to the days when the first thing an organization has to do is do a \$15,000 needs study and then get an architect involved, and quite often the architect may have already built the same building somewhere else and as a result made a fair amount of extra money etc. There were abuses in the system as it existed in the past. But I can tell you that for governments, at both the federal and provincial levels, to simply put their heads in the sand is the wrong thing to do because it's not helping the people in this province who need help the most. The private sector simply isn't building any houses right now.

Let me just turn to this bill specifically. There are many good non-profit groups in this province. As a matter of fact, there are 84,000 public housing units from the housing authority. And just to deal with those, I can remember that a study was done in the early 1990s that at that point in time said, I believe, something like \$400 million or \$500 million was needed in order to bring the

then public housing stock up to date. I know that no money was spent to look after the major repairs that were required, at least until 1995. So how the minister can now come up with a study that says they're all in great shape—most of the public housing in this province was built prior to 1970. No public housing has been built since then. Social housing—

Mr Wettlaufer: You're dreaming.

Mr Gerretsen: Just a minute now. You want to understand what I'm saying. Public housing, maybe about 1975, but it's certain nothing has been built in the last 20 to 25 years. Most of it is quite old. Most of it was built in the 1960s; it's about 40 years old at this point in time. We changed in about the late 1970s to non-profit co-op groups. I'm talking about the public housing stock. There's been very little of that built since the late 1970s.

Mr Wettlaufer: You guys must have been spending everything in Kitchener.

2030

Mr Gerretsen: Look, I don't know what you're talking about.

Anyway, the point is that a lot of the public housing stock in this province is extremely old, and some major renovations and repairs need to be done to it. As has already been pointed out by one of the other members, I think it's section 46 that basically says that once it's transferred, there is absolutely no liability and the municipalities are on their own.

All I can tell you is that studies were done in the early 1990s that at that point in time said about \$400 million or \$500 million was needed. I know you can have different people look at problems in a different way and come up with different numbers, but how, five to seven years later, can the minister now come and say, "I guess nothing is needed"? If you want to unload something, it's easy for you to say nothing is needed. The point is that a lot of this housing is at least 40 to 45 years old. It's going to need some major repairs and upgrades in the near future and there is absolutely no money for that.

Let's take a look at the social housing units that have been built. Most of them are probably 20 to 25 years old, or maybe less than that, 10 to 15, in some cases. They are in a better state of repair, generally speaking, than the public housing stock in this province. A lot of these non-profit housing organizations and co-ops have been managed by a good board of directors, by people who are interested in housing, who really have the welfare of the housing community and their housing stock at heart. They've built up reserve accounts. I know they have. They're required to set aside X number of dollars per year so that when you have the major expenses of a new roof or other major repairs, you have the money available.

Do you know what this bill does? It basically tells the different non-profit corporations, "I'm sorry, you now have to hand this money over to the Social Housing Services Corp." If I am a member of a non-profit organization that has been putting money aside from the tenants' payments, that has been putting money aside in

reserve, and let's say there's an organization down the street that hasn't been putting as much in reserve, all this money is now going to be paid over to the Social Housing Services Corp.

I know that boards in general are going to say, "What did we do this for? We didn't take money out of our tenants' pockets and put it in reserve accounts so that we can now pay it over to the Social Housing Services Corp." It states so quite specifically. One of their purposes is "to manage the pooling of capital reserve funds for prescribed housing providers." That's what it says.

I know somebody can make an argument that if project A needs the money a little bit more than project B, then maybe the money should be taken over there, but I can tell you that just as good an argument can be made that if I, as a tenant, have paid into that reserve fund more than the tenant next door, then maybe I, as a tenant, should get the benefit of those reserve funds if and when they are needed for repairs to the building I happen to be living in. All I'm saying is that sections like that and poolings like that undermine the tenants who live in a particular housing community or neighbourhood, as well as the board of directors who have been trying to deal with these issues in a responsible fashion.

There are some other very interesting sections here. Look at section 86. It is quite direct: "Every operating agreement entered into before the day this section comes into force ... is terminated on the date prescribed for the housing project to which the operating agreement relates." In other words, if you have an organization that has signed an agreement with the province whereby subsidy dollars were given to it under certain circumstances—and remember, there are all sorts of different programs out there that these organizations and non-profits have been operating under for the last 10, 15, 20 years—all of a sudden what happens, once the transfer takes place, is that the agreement that has been duly negotiated between the board of directors of a non-profit and the province is going to be terminated. That just isn't fair.

The people who suffer as a result are the tenants. I know that a lot of the members on boards of directors, a lot of the people the member from Lambton talked about—he talked about the good people in his riding and I can name you just as many good ones in my riding and you can in yours. They are going to say to themselves, "Why am I involved in this? The reserve funds are gone. The agreements we had when the province that set up these projects are terminated." All of a sudden the rules of the game are being changed unilaterally. That's not what this should be all about.

I could go on and on. The bottom line is this: this agreement doesn't do anything for the tenants who live in either public or social housing. There are about 250,000 units when we add both the public and the social housing together. This agreement potentially, I suppose, can affect somewhere between three-quarters of a million to a million people in Ontario, where the government has

unilaterally taken away rights from them that existed before.

The member can shake his head and do all sorts of other wonderful things, but that is the truth of the matter. That's the way it is. Those people are not protected. Notice what the government members keep saying: "Their right to tenure is protected." They say absolutely nothing about the rents these people may be obligated to pay.

I realize these changes aren't going to take place immediately. It will take a certain period of time, but the people who live in these houses, who need the support of the government the most, are once again being abandoned by this government. They're basically saying: "It's now going to be somebody else's responsibility. There are new rules for that game. We are not involved." That is totally wrong.

I've got all sorts of statistics here, as if we need to see any more, about the waiting lists we have across the province. Here in Toronto you've got waiting lists of, what, 50,000 or 60,000? In small municipalities like my own, like Kingston and Guelph—I could just go on and on—there are at least 1,000 people on the waiting list. Some of these people will never get their unit. Many of these people are right now paying more than 50% of their monthly income, from whatever source they get it, for rent.

This document that was prepared by the Putting Housing Back on the Public Agenda people—it was headed up by former federal minister Alan Redway, provincial minister John Sweeney and Marion Dewar—basically states that one in four tenants is at risk of being homeless because these people are paying more than 50% of their monthly income on rental payments.

What is the government going to do about it? They haven't done a thing. They haven't built any social housing units. They haven't even gotten together with the private sector to see what kind of new innovative programs can be brought forward to assist them. The building industry would love to get the government back involved in it.

I can remember talking to a very prominent economist about this recently who said to me, "It's kind of interesting; we live right now in an age of very low mortgage rates." We're paying mortgages on our homes, those of us who still are, at record low rates. I know that five or 10 years ago you never would have thought you would see the rate below a two-digit number. Now it's 6%, 7% and 8%. If we're ever going to get back into the social housing scene, it's got to be now.

I realize that, depending on where you are in Ontario, it costs anywhere between, I don't know, \$70,000 to \$90,000 to build a unit anywhere. It may be less in some areas. There have to be good controls on that; absolutely, no question about it. If you're ever going to do it, isn't it a lot better to pay 6% for that money than 13%, 14%, 15%, like they did 10 years ago? It becomes affordable again.

It's time for government at both levels, the federal and provincial—and I cast equal blame on both levels,

absolutely no doubt about that. If they're ever going to do it, surely this is the time to do it.

Bill 128 doesn't do anything for the tenants who are currently in social and non-profit and public housing. All it is going to do is give them once again a greater sense of unease, of the unknown, as to what will happen to them next. I know what I'm talking about because I've dealt with these kinds of situations and problems for the last 25 years. It's not going to help them.

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The Acting Speaker: Comments or questions?

Ms Martel: I appreciated the comments that were made by the member for Kingston and the Islands, both because he brought to it a perspective of someone who's been involved in housing issues for a long time and frankly because he made it clear that both the federal and provincial governments should be involved in housing. It's not easy to run counter to what your cousins in another jurisdiction may be doing, but he's right. Both the federal and the provincial governments have a responsibility to ensure that even the poor have decent, affordable housing.

The slide really did start, regrettably, when the federal government, in 1993, got out of that business. I regret that the federal government did that. I regret even more, at a time when we have a huge surplus now, that they wouldn't get back into that game. The Ontario statistics the member provided us with are statistics that could just as well be applied to other provincial jurisdictions where their provinces too aren't doing very much, if anything at all, with respect to building affordable housing.

Look, he gave us the statistics with respect to 1998—a 2% increase in apartments in the province. How many people did that house? How many people didn't it house who really needed affordable housing? I remember when Mr Leach stood in this House and said that at least 10,000 new, affordable housing units, would be built when the government passed its Tenant Protection Act. We haven't seen any construction of new affordable units in this province since that bill was passed, because it's clear that people in the private sector are only interested in building for the high end, not for people with modest incomes, not for the poor. If this government really wanted to do something about housing, they'd get back into the game of building social housing again.

Mr Gerry Martiniuk (Cambridge): I was most pleased to listen to the member for Kingston and the Islands and his concerns regarding public housing, but we should really come back to the bill itself, Bill 128, An Act respecting social housing, to determine what exactly it does. What it does is transfer the jurisdiction and assets of public housing in Ontario to, for the most part, municipalities. I, unlike many members of the opposition, have a great deal of confidence in our local councils. We're coming up to a municipal election, and in my area in particular we have many excellent candidates and many excellent incumbents running. I always have been of the belief that local councils are closest to

the people and can adapt all circumstances to the local circumstance.

The federal Liberals and governments before them got out of housing totally. We have to take our minds back to the fact that in this province, up until 1995, government after government turned a blind eye to the fact that we had inequality of education. It meant simply that some students in some areas, because of the area they lived in, received a lesser education. We took that education and equalized that for the first time across this province. In return, the municipalities have taken the obligation of social housing. I know they can do a good job, no matter what the naysayers say. I think it is vested in the right area.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): We just heard from the member for Kingston and the Islands, a member who was deeply involved in social housing and also municipal housing, especially as a former president of AMO. I was also on the board of directors of AMO for 11 years and also part of this municipal development committee. At that time we established the regulations of municipal housing, which was the full responsibility of the provincial government.

Just tonight, I was downstairs talking to some of the people at this co-op social rendezvous and I asked them if they knew anything about that \$100-million saving that municipalities are supposed to be getting. The answer I got was, "The saving will come from the rollback or the transfer of the mortgages, when the municipalities will be paying less interest." I wouldn't call that, at the present time—probably the municipalities are going to get a cheaper rate or a higher rate due to the condition of the housing projects we have in our municipality. Government was able to get blanket insurance coverage for all those buildings, but today each municipality will have their own policy. I'm pretty sure the insurance policies are going to be way higher, the interest rate could be higher, and again this is going to fall on the municipal property tax.

As mentioned by my colleague from Kingston and the Islands, we have a shortage of social housing in Ontario, and it's not with this Bill 128 that we will resolve the problems.

Mr Wettlaufer: I'd like to introduce some facts into this, something the members of the opposition and the third party certainly are going to be upset about. They say, "Don't give us the facts." Their minds are already made up. They don't want to be confused.

In January 1997, we took 50% of the education costs off the residential property tax rolls. That freed up \$2.5 billion to the municipalities—\$2.5 billion.

Let's look at another fact. I said before—and I stand corrected, as I mentioned to Hansard—that we had \$1 billion in social housing assets. It was actually \$1.7 billion.

The Liberals and the NDP talk about the condition of these assets. Let me tell you, in my riding I had an opportunity to go into these units when they were being renovated. One of the builders asked me to come in and

look at what was happening. A lot of these units were not even in need of renovation, yet they were being totally renovated. What I'm trying to say is that many, many, many of these units have been renovated within the last six years. That stands up, because in the Peel Living study which was just completed, Keith Ward confirmed to staff today that our two studies were confirmed, that these units were in fact in good condition.

The Acting Speaker: Response, member for Kingston and the Islands.

Mr Gerretsen: I would invite the member to come along with some of my colleagues to the Jane-Finch area, the Regent Park area, and see the condition of some of those units, and in many other places in Ontario as well.

Second, as to the transfers that took place, you may recall that AMO and everybody said the downloading loaded an extra \$1 billion worth of costs on to the local municipalities. Then, after all heck broke loose, all of a sudden you got involved in negotiations with AMO, and it was reduced to something like \$650 million more that you downloaded than was uploaded. In other words, the local taxpayers of this province still got stuck with \$650 million in extra costs that the province used to pick up. The local taxpayer is paying that right now.

2050

Let's look at all the other things that were transferred, things like transit, ambulance costs, more social service costs, more day care costs—you can just go on and on.

With respect to local councils, absolutely, I think the people at the local level who are elected are the closest to the people and they will have the best interests of not only these tenants but of everyone at heart. The problem is you've got to give them the resources to do it. There will be a lack of resources at the local level. Even the ministry's own backgrounder document states—just listen to this. You're getting \$525 million in the first year from the federal government, and then that amount decreases. What do you say in your own backgrounder information? "A portion of the federal funds will be retained by the province to meet its obligations." So they don't even know how much of the federal money that you're getting for housing is going to be transferred. Your own documents state—

The Acting Speaker: Time has expired. Further debate?

Mr Steve Gilchrist (Scarborough East): It's indeed a pleasure to add a few comments to the debate on the important devolution of social housing to municipalities. I certainly have a great familiarity with the issue, having been both parliamentary assistant and minister in this ministry. Unlike the members opposite, I think I can speak to having visited far more of the property that's actually the subject of the debate here than any member on the other side, with the possible exception of Mr Curling. I can tell you, for example, that the nicest apartment buildings in Kenora are the ones owned by the West Kenora District Housing Authority. Without any doubt, they are excellent facilities. Far from being a drain

on the municipality to transfer it, you're giving them an asset the likes of which they've never been given before.

The fact of the matter is very simply that we've heard a lot said on the other side about property tax and how it is somehow inappropriate to have municipal control over social housing because municipalities—

Interjection.

The Acting Speaker: If the member for Don Valley East is going to heckle, at least be in your own seat.

Mr Gilchrist: I know that we've solved one of Mrs Caplan's problems with her former health care. Her other mistake continues to haunt us today.

The bottom line is that in the debate here tonight and over the past five years we have never heard the other side suggest that education is not a social program. So the fact that the property taxpayers were paying for education for all of those years has never seemed to concern the members opposite. The fact that we saw education property taxes go up 120% in the 10 years prior to our election, despite the fact that inflation was only 40% and enrolment only went up 16%—they were comfortable not only with the concept of education being paid for but the reality that the long-suffering taxpayers were being raked over the coals year after year by profligate spending by that half of the municipal equation. We stopped that increase in tax. We transferred instead a number of services, including public housing.

Lost too in this debate is the fact that municipalities are already paying. They've been paying for social housing now for over two years. This legislation fulfills a commitment that they will have say for pay. I make no bones about the fact that social housing is an extraordinarily complex subject. There are 19 different agreements. So depending on the year in which a building was built, depending on whether you're a co-op, whether you're the traditional public housing, whether you're supportive housing, whether you're first nations housing, different governments of all stripes each thought they had a better way to craft the agreements under which a particular building operated. The result has been vast resources spent on lawyers, vast resources spent at the ministry just to oversee an extraordinarily complex topic. But it need not be complex. A part of this devolution involves rationalizing down all of those different programs into one streamlined delivery model.

I think the taxpayers and the tenants will realize tremendous benefits, because an awful lot of money that is currently being wasted on administrative duplication and overlap will now be targeted on specific service delivery. We will see more money put into capital improvements. We will see more money put into day-to-day maintenance. We will see more money put into security. Those will be the options of all the service managers on whom the authority to oversee these properties will devolve.

The government has done a number of things to encourage more affordable housing. I heard in the final response of the member from Kingston and the Islands the suggestion that somehow that issue should be brought

into this debate. I remind him that we've replaced rent controls with the Tenant Protection Act, which, for the first time in almost 25 years, encourages investment in rental housing by allowing landlords to set market rents on vacant units. The members opposite need only drive along Wellesley, the street that runs right into this property, to see no fewer than two apartment buildings with scaffolding up in front and repairs being made to bring them up to a far more acceptable standard for the tenants who live in them.

The Ontario building code has been amended to encourage the development of what are known as single-room occupancies. Again, you'll never see acknowledgement from the members opposite. They would rather belabour the fact that the problem exists than look for solutions. But in places like San Diego and Las Vegas, the local governments—and I stress again, the local governments—have come up with what are called SROs as an initiative that allowed for greater flexibility in terms of meeting the housing needs of people, for example, on government assistance or people who are new to a community and have yet to establish any sort of base and have yet to find a job. By reducing the square footage that was the mandated minimum and by allowing for other economies in construction, while still maintaining all the health and safety requirements under the building code, you can now build new apartment buildings that you could afford to rent for what a single person on welfare collects for the housing allowance today—a remarkable turnaround.

That took us a long step toward getting the 75,000 units that apartment builders in Toronto have identified are ready to go, except that after we cut the provincial sales tax rebate on all affordable housing—you'll remember that we eliminated 100% of the provincial sales tax, so the province makes no money now on the actual construction of affordable housing. Unfortunately, almost immediately after the province made that allowance of \$2,000 per unit, the city of Toronto, because they care so much for the homeless, because they care so much for those people they suggest are facing a crisis in housing, implemented a development charge on all new apartment construction. And how much was the value of that new development charge? Well, it may shock you to find out it was exactly the same \$2,000 the province had just cut.

The greatest irony of that, as you well know, is that you multiply that \$2,000 basically times zero. Because of the burdens and hurdles and barriers to the construction of affordable housing that continue to be put up by other governments, none gets built. So the city of Toronto obviously, as part of their budgeting process, thought it was wiser to keep their finance department staff idle, because they won't have to process any applications. As a result, the \$2,000 per unit is multiplied virtually times zero. There has been no benefit to the city of Toronto. But the prospect of paying that has stopped all those apartment builders from building the 75,000 units that, they would be quite prepared to share with the members opposite, are ready to go if only the numbers made sense.

You can't cut taxes more than 100%, and that's what we did. So to the suggestion opposite that this bill should be tied to affordable housing, I disagree. But even if you want to make that point, the reality is that the province has already undertaken a number of steps to guarantee that as long as the other two levels of government play ball, there will be a greater supply of affordable housing in this province.

A couple of other issues have been raised in this debate. The issue of the transitional costs: I'm very proud of the fact that even though an awful lot of the staff who will be involved in the day-to-day management of social housing once it devolves to municipalities are already very familiar with that topic—for example, the city of Toronto currently owns and operates more housing units than the province, which again poses a bit of a philosophical challenge to the members opposite. If it really isn't a municipal issue, could you please explain to me and all the other Ontarians who are watching why the city of Toronto not only disagreed with you but thought it appropriate over the years to spend hundreds of millions of dollars to build and manage its own public housing stock?

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Now the good news. The good news about the transfer we're proposing today is that over the last three years since the topic was first broached in this House, the province has already taken a number of steps, through the Ontario Housing Corp, to ensure that wherever there is overlap with existing municipal social housing authorities, they start to develop coordination in their delivery of services.

I want to be fair to the members opposite. In case you haven't heard this statistic, I hope you will reflect on it before considering whether this is a good move or a bad move. Because the city of Toronto has already been able to assimilate a lot of the administrative duplication for Cityhome and the Toronto Housing Co, which they run, with the Metropolitan Toronto Housing Authority, which the province runs, the administrative savings, the efficiencies they've been able to find so far have exceeded \$40 million. To the members opposite, that means the administrative savings in the city of Toronto alone would build 400 new units, at today's construction price, every single year from now in perpetuity. That is what just one administrative efficiency has delivered already. But we haven't heard that in the debate opposite.

I hope the members, if they were not aware of that, will now consider it and what it means in Peel, where Peel's housing authority will now co-operate with the former Peel local housing authority that we're devolving. All the other municipalities in Ontario, Hamilton and Ottawa and all the others, that currently have a municipal housing authority will find similar savings, will find similar ways of taking money that's wasted in head offices and on duplicate administration and put it into the tenants' actual apartments to make their lives better, to make those units safer and to make sure there are more units.

To help them along, even in those municipalities where they don't have the expertise, the province is going to be giving one-time transitional funding. The service managers, as we're calling them, will be eligible to access \$5.6 million just to cover the start-up costs such as computer equipment or hiring consultants. But I've got to share with you, Mr Speaker, and the members opposite that it has only been a few months since all the local housing authorities upgraded all their computer systems. So I strongly suggest that before anyone wants to go out and reinvent the wheel, they might want to reflect on the fact that the province has been making significant investments prior to the devolution.

In addition, the province is going to be providing \$7.6 million in one-time funding specifically to assist in the cost of a property management system. We're going to make sure the service managers will be eligible to receive funding to assist what we're calling local housing corporations to undertake a process to normalize title, meaning that for the first time—this will be staggering to you, Mr Speaker, and to many people listening—we will actually be able to perfect the legal title. An awful lot of confusion has developed over the years because of different contracts, because of different ownership and because of who had the land before the housing was actually built. I am told by the legal staff in the ministry that this \$7.6 million will go into cleaning up title, so that once and for all the municipalities will know what they own.

We've heard questions about consultation. I know and can speak from personal experience that we have consulted extensively with the Association of Municipalities of Ontario, the Ontario Non-Profit Housing Association, the Co-operative Housing Federation and all sorts of other municipal representatives, not only at the ministerial level and the parliamentary assistant level, but we've had a joint municipal-provincial working group on financial testing and access to Ontario Works, child care and social housing. That was formed with AMO and the Ontario Municipal Social Services Association, as well as having input from the Ministry of Community and Social Services. That group looked into ways to improve local service delivery on a wide range of issues including social housing, and it released its report in March of this year.

We've put in place some very stringent provincial standards for social housing. These standards are to ensure there's compliance with the terms of the signed federal-provincial social housing agreement. No tenant—no existing tenant and no future tenant—need fear that the rug will be pulled out from underneath them, because we are guaranteeing that all the service managers buy in and accept the terms and conditions of the agreement we've already signed with the federal government.

The standards will ensure that municipalities will continue to provide assistance to the same number. We've guaranteed there will no loss of rent-geared-to-income households. The municipalities will be required to report on a regular basis to ensure that all taxpayers, and this

Legislature, know they are following all applicable provincial and federal standards.

We're going to guarantee that there is a fair and constant eligibility and benefit and access policy applied all across Ontario.

Let me digress a second here. I doubt if there's a member in this House who in his or her term has not been exposed to a horror story from someone who's gone to apply at a co-op or some other housing authority, only to discover the dirty little secret that if you weren't the right religion, if you weren't the right ethnicity, if you weren't the right gender—you name the criteria—or maybe in some cases, and I could cite one in particular, if you were disabled, you didn't make the cut. It didn't matter what was in the charter of the particular co-op or housing authority. The fact of the matter is that there was extraordinary bias demonstrated as to who went in.

More to the point, and what has been troubling to a great many Ontarians, is that when they see a compendium of data compiled by—I don't want to be overly critical of colleagues opposite but more often by third-party groups with a vested interest in reversing the course our government has chosen. You'll see them talk about a seven-year waiting list or a 10-year waiting list or even a two- or three-year waiting list, depending on the community.

What you don't hear is that right now if you want a snowball's chance of getting into a housing unit in the city of Toronto, you apply everywhere. You apply to every co-op, to the public housing authorities—the provincial, the two city authorities—and quite frankly if you qualify under any other standards, such as First Nation, you apply to the housing premises that are operated for and by them. So the same name may appear in five, 10, 20, 50 different locations and it gets counted 50 times when people prepare those reports.

That's a fraud, but it's a fraud that's going to end with the passage of this bill because every municipality will be required to maintain one list. Unless the members opposite want to stand up and suggest, right here and now, that with the exception of obvious provisions to deal with people who are disabled or people who are in a crisis housing situation, bias is OK in the allocation of any public resource but in this case public housing, then I suggest to them this is a step forward and I would expect them to applaud that. For the first time there will be a fair allocation of public housing all across this province.

The fifth standard is that the current supply of units that have been modified for physically disabled people must be maintained. Again, no local housing authority will be able to dispose of any housing units in that category unless of course they want to replace them with even more modern and more up-to-date units.

Will the eligibility rules for social housing remain the same? They're going to remain essentially the same. All households in need will continue to be eligible to apply for social housing regardless of where they live in this province.

The government is proposing to change some eligibility rules for social housing to deal with misrepresentation of income. We certainly saw examples, and I don't want to name names here but we all heard the stories of even Toronto city councillors who, despite their salaries, which exceed ours in this Legislature, were living in co-ops and publicly supported housing units. One still does. At least three others who were revealed to be double-dipping have since moved out, and I can tell you, in the case of one married couple, into a very expensive house not far from the trendy Queen Street West neighbourhood, so I guess they really had the money all along.

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The fact of the matter is that unless the members opposite think Toronto city councillors should be living in public housing units that were designed for people who were in greater need than they will ever be, then again I would suggest they look very carefully at this bill and not deal, as they normally do, in a knee-jerk reaction that just because we propose a bill, it's bad.

Will the municipalities be able to sell off public housing? The service managers will be responsible for maintaining the same number of rent-geared-to-income units, as I mentioned earlier, and the same number of units for people who are disabled. If the LHCs wish to sell off or in any way change their existing public housing stock, they're first going to need to provide a business case to the service manager and have them sign off. In other words, there must be both a municipal sign-off and the minister will have the authority to veto any sale. I would suggest to anybody looking to make a fast buck off the \$3-billion gift the province is giving to the municipalities that they think twice about that.

The members opposite may not be familiar with what the market value is for our buildings, or per unit, but I can tell you that apartments have never had a higher price than they have today, and I say to you that this is a bill worth endorsing.

The Acting Speaker: Comments or questions?

Mr Peters: As a former municipal politician and somebody who still has a high regard for the good work municipal politicians do, I'd be very happy on their behalf to say to this so-called wonderful gift, "Return this gift to the sender. We don't want it."

They don't want it. Putting the costs of public housing on the property tax base is an irresponsible thing for a government to do, and this government has shown its disdain for municipal government over and over, when one looks back to the initiatives from the Who Does What commission.

The member talks about how things now are going to have one list. I don't know how they do things in Toronto, but I can tell you how we've been doing things in St Thomas and Elgin county for a number of years, and we have had one list. If you went into a public housing unit or a co-operative unit or a public non-profit unit, you had one list that listed all the co-ops. Municipalities have been doing this for quite a long time.

It's just so irresponsible to see what is happening to municipal governments at the direction of this government. We've heard there's a number of members on the government side who have served on a municipal council. I don't know how they could show their faces in a council chamber today, seeing the damage they've inflicted on municipal governments. It's a really sad day for Ontario to see this happen.

This is a piece of legislation with which the government should do the honourable thing and withdraw it. The government should do the right thing, and that is, enter into good working relationships with municipal governments, not a top-down relationship but one in which both sides are partners and work together. But no, it's the province's way or no way. Dalton McGuinty and the Liberal Party are totally opposed to this. Withdraw this legislation.

Ms Martel: In reply to some of the comments that were made by the member from Scarborough, I wonder if he and I are reading the same bill. When he talks about streamlining and getting rid of duplication, there are any number of sections, more sections than not in the bill, that do nothing but increase duplication, that do nothing but increase bureaucracy and that have nothing to do with streamlining, but in fact add different layers of bureaucracy, different layers of reporting, that actually increase all those things.

For example, if I look at the provincial government before having responsibility for administration, we've now got a situation through the bill where the province will be watching over the municipalities, which will then on their own as municipalities watch over the housing providers. You've got cases in this legislation where the province is going to police providers and the tenants directly. If you even look at the sections in the bill where those municipal service managers have to go back to the province to get permission from the minister, you can see very clearly that the bill has nothing to do with reducing duplication or with streamlining. Let me give you a couple of examples.

Some of those 47 municipal service managers across the province have to go back to the minister to get approval if they want to establish a system allowing two or more housing providers to jointly renew mortgage financing. Any time they want to deal with the assets that are being transferred to them, all 47 of those municipal service providers have to go back to the minister with respect to the restrictions in the transfer orders and how they can be changed.

Again, they have to go back to the province if they want to do things around rent-geared-to-income subsidy administration, because the province continues to set the rules. The province continues to set the rules with respect to special needs. So again, 47 service providers around the province have to go and deal with that. In any number of sections, the province continues to administer, there's no reduction in duplication and there certainly isn't any streamlining.

Mr Coburn: I want to respond to some of the comments the member for Kingston and the Islands made, so he can sleep a little better tonight. He was awfully worried about the non-profit capital reserves that were just going to be frittered away and those who had contributed to the reserves wouldn't benefit from them. This often happens when you don't take time to research your information and understand the SHSC.

Yes, the money goes into one kitty, but the reason for that is good business sense, in that they can attract and invest properly to maximize the return on investment. The money that is contributed from each non-profit sector is earmarked to go back there. Whenever they want to use it, they can draw from that pool. But it was good business sense to consolidate those reserves. I made reference earlier that in 1992 there was a moratorium on contributions to reserves in the non-profit sector. That was by a former government, of course. It was our government that took that moratorium off and put in \$172.5 million, and the feds added \$31 million, in 1997. The reserve fund today, \$390 million, generates a considerable amount of money, and the non-profit corporation facilities will be able to benefit greatly in some of the enhancements and maintenance they want to do with those facilities.

I'd also like to point out, and compliment the minister—I didn't quite get time to finish last time I was up—that another initiative we've taken is that the minister has set up a housing supply working group, with representatives from the building and development industry and labour. The group will identify rental housing supply problems and solutions, and will come back and recommend solutions and how we can build more affordable units in this province.

Mr Caplan: It would be easy to trade insults with the member for Scarborough East. I certainly don't intend to do that. I want to talk about the bill, and I want to talk about housing policy and the absolute mess of the Harris government, especially with a former Minister of Municipal Affairs and Housing, albeit short-lived. He should know there already is a centralized waiting list for housing. He should also know that people in co-op and non-profit housing pay market rent. He should also know that this bill removes all the authority from housing providers to provide housing and puts it in the hands of municipalities, but ultimately with the province by regulation-setting ability. There is no accountability in this legislation. It is a complete farce.

There are many objectionable things about this legislation. There are also many objectionable things about the government housing policy. I would just say that we are seeing waiting lists grow, we are seeing vacancy rates plummet, we are seeing all this in a time of great economic prosperity. Imagine what is going to happen when things turn, as they inevitably will. You have to know, and I hope the member would acknowledge, that we have a recipe for disaster. We have an affordable housing crisis now. We have a private sector which is not

building housing. We have government, the public sector, which is not building housing. This legislation, Bill 128, will cement the province abdicating its complete responsibility.

I know the member said that if the municipal governments or the federal government get back in the game—frankly, what is the provincial government prepared to do? Obviously they're prepared to wash their hands of housing, to transfer the liability on to taxpayers, both business and residential, at the municipal level, and that's abhorrent.

Mr Gilchrist: I appreciate the comments that have been made on this important issue by my colleagues on both sides of the House.

To the members opposite, you'll forgive me if I disagree with your perspective. I don't think I've heard anything convincing enough to suggest I should vote against this bill. The fact of the matter is that the housing stock across this province is as good as or better than private apartment stock. Obviously you have never seen the scattered units in places like North Bay. They are some of the nicest homes, albeit a bit smaller than the average home, in North Bay.

The reality is that across this great province over the years, different governments have continued to make investments. In 1998 alone, the ministry invested \$117 million in capital improvements. If the members opposite want to talk about \$1 billion as being the only value, find me any other apartment developer or apartment owner who is investing 10% year after year in the maintenance and upgrading of the capital side of his investment. The fact of the matter is, the province has gone far further than either the cities or the federal government.

Is there a crisis? Perhaps. I hope the member opposite, when he's out knocking on doors with his mother, raises the profile of housing with her. I hope he convinces her to take the GST off apartment buildings, because Mr Caplan's mother is quite prepared to be part of a cabinet that says, "If I build a building and I call it a condo, I get my GST back. If I call the same building an apartment building, I don't." I keep hearing—

Mr Caplan: Yes, they do.

Mr Gilchrist: No, they don't, Mr Caplan. You might want to bone up on federal tax law.

If cities like Toronto continue to come out with new initiatives like a \$2,000 development charge, small wonder we've seen a stifling of development of new affordable housing.

We've gone the distance. We're making sure local municipalities have control over what is a very important local asset.

The Acting Speaker: I remind members in the House that they refer to each other here by their ridings as opposed to their names.

It being close to 9:30 of the clock, I declare the House adjourned until 10 of the clock tomorrow morning, Thursday, October 19.

The House adjourned at 2123.

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Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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